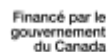
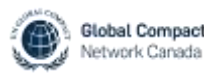




# SDG 4 ON ENSURING INCLUSIVE AND EQUITABLE QUALITY EDUCATION

A Toolkit of Legal & Institutional Practices



# SDG 4 on Ensuring Inclusive and Equitable Quality Education

## A Toolkit of Legal & Institutional Practices

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## About the Toolkit

CISDL, in cooperation with the Dalhousie Schulich School of Law, Balsillie School of International Affairs/University of Waterloo, McGill University Faculty of Law/ Faculté de droit Université de Montréal, University of Victoria Peter A. Allard School of Law, and a consortium of institutional partners, held a multisite symposium on March 14, 2019 convening legal experts across Canada to discuss areas of opportunity to inform Canada's 2030 agenda. This toolkit is a part of a series, which builds upon legal research conducted in collaboration with UN Environment. The by-projects of this research looking at legal measures for achievement of the SDGs in Canada is intended to inform policy-making moving forward.

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# List of Abbreviations and Acronyms

CBD	<i>Convention on Biological Diversity</i>
CEDAW	<i>Convention on the Elimination of all Forms of Discrimination Against Women</i>
CERD	<i>Convention on the Elimination of All Forms of Racial Discrimination</i>
CRPD	<i>Convention on the Rights of Persons with Disabilities</i>
ICCPR	<i>International Covenant on Civil and Political Rights</i>
ICESCR	<i>International Covenant on Economic, Social and Cultural Rights</i>
ILO	International Labor Organization
IUCN	International Union for Conservation of Nature
MDG	Millennium Development Goals
NWT	Northwest Territories
PEI	Prince Edward Island
SDG	Sustainable Development Goals
UDHR	<i>Universal Declaration on Human Rights</i>
UNCCD	<i>United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa</i>
UNCRC	<i>United Nations Convention on the Rights of the Child</i>
UNEP	United Nations Environment
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	<i>United Nations Framework Convention on Climate Change</i>
UNICEF	United Nations Children's Emergency Fund

# I. Introduction

## SDG 4: An Opportunity to Strengthen Inclusive and Quality Education and Promote Life-long Learning Opportunities for All

Education is a free-standing right and an empowerment right, which enhances the ability of individuals to achieve other human rights, and is also shown to have multiple benefits for families, communities and society as a whole. Education contributes to progress on a number of other Sustainable Development Goals (SDGs), including eradication of poverty (SDG 1), improved health and gender equality (SDG 3), and the promotion of peace and good governance (SDG 16).

This Toolkit focuses on Sustainable Development Goal 4 (SDG 4 Education), which aims to “Ensure inclusive and equitable quality education and promote life-long learning opportunities for all”, addressing unfinished aspects of the Millennium Development Goals (MDGs), in which Goal 2 aimed to achieve universal primary education. SDG 4 recognizes that while the MDGs resulted in substantial advancements in the area of education, there is still a long way to go before full realization of this fundamental right. At the same time, SDG 4 recognizes that education as a whole is a lifelong process and right, one which includes all levels of education as well as vocational and skills-based training. In this way, SDG 4 seeks to create a holistic system in which individuals have the ability to access and benefit from education and training in order to assist themselves and their communities in the present day and in the future.

### Structure of the Toolkit

The Toolkit provides a cursory survey of principal national and international law, policy and governance measures that have the potential to contribute to realizing SDG 4. It considers options for legal and policy preparedness, notes the potential for mainstreaming and more integrated implementation at the international and national levels, and offers some recommendations to deal with these issues.

The Toolkit is separated into four sections and additional reference materials:




- **Introduction** offers brief background to the issues, the structure of the toolkit, and an overview of the intended audience.
- **Legal Innovations & Practices from Across Canada to Achieve SDG 4** provides an initial survey of federal, provincial, and territorial approaches which support achievement of specific targets under the SDG.
- **International Legal Dimensions of SDG 4** highlights legal obligations under international instruments related to education.
- **Legal Preparedness for Achieving SDG 4 with Canadians** summarizes findings and provides mechanisms for enhancing efforts across all levels of government.
- **Recommended Resources** provides a brief list of resources which could supplement information provided.



- **Annex I: Domestic Legal Instruments: Overview Table** provides a single reference table which includes all of the domestic laws identified separated by SDG target.
- **Annex II: About the Project** summarizes the project, key partners, and goals.

The analysis suggests that the SDG 4 targets are supported by international governance systems and legal measures, as well as Canadian domestic instruments and institutions which provide pre-existing pathways to support national implementation. While law and governance mechanisms which support achievement of the SDG 4 have been identified, there remain significant areas of opportunity to promote greater policy cohesion, refinement, scaling up of ambition, and engagement with civil society actors. This project, in collaboration Economic and Social Development Canada (ESDC), as well as law schools and research networks across the country, identifies current pathways that provide for the achievement of SDG 4 in Canada.

## Reference Guide

	Key Aspects	Summarizes principal takeaways from the legislation. Emphasizes the elements exemplified by the approach.
	SDG Targets	Identifies the SDG targets which the legislative approach may be used to implement.
	Jurisdiction	Indicates the jurisdiction of the legislation.

The above icons are used throughout the report to provide guidance on aspects of the legislative approach highlighted with align with specific needs of users of this toolkit.

## Target Audience

Sustainable development as a crosscutting policy goal requires engagement of law and governance authorities at all levels. This Toolkit has a target audience of law and governance professionals at the federal, provincial, and territorial levels, as well as Aboriginal communities, and local and municipal authorities, who seek to engage in and influence debate. In addition, the Toolkit acts as a valuable resource for non-governmental organizations (NGOs) and other members of civil society who are seeking to understand and identify options to inform decision makers within their constituencies. Lastly, the Toolkit aims to support legal professionals, members of the judiciary, law professors, and students seeking to gain insights on the role played by law and governance institutions in supporting achievement of SDG 4.

## SDG 4: Catalyzing action on access to quality education.

### SDG 4 on Education – Ensure inclusive and equitable quality education and promote life-long learning opportunities for all

4.1 by 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.

4.2 by 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.

4.3 by 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.

4.4 by 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.

4.5 by 2030, eliminate gender disparities in education and 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.

4.6 by 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy.

4.7 by 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship, and appreciation of cultural diversity and of culture's contribution to sustainable development.

4.a build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.

4.b by 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States, and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries.

4.c by 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.



## II. Legal Innovations & Practices from Across Canada to Achieve SDG 4

Education can have a significant impact on health. For example, research suggests that each extra year of a mother's schooling reduces the probability of infant mortality by 5-10%,<sup>1</sup> and a child born to a mother who can read is 50% more likely to survive past age five.<sup>2</sup> Education also enhances democracy and good governance, as people of voting age with a primary school education are 1.5 times more likely to support democracy than those with no education.<sup>3</sup> Education, in summary, contributes to many SDGs, and has intrinsic worth for the environment, people and prosperity.

Many countries have made significant achievements towards primary education since the MDGs were first established. Despite these gains, however, progress towards achieving universal education has been inequitable, and regional statistics hide continuing disparities. Globally, the poorest children are five times less likely to complete primary school than the richest, differences in rural/urban enrollment rates remain significant, and one-third of countries have not achieved gender parity at the primary school level.<sup>4</sup> While pupil/teacher ratios have largely been reduced for primary education in over 80% of countries, in one-third of the countries with data, less than 75% of primary school teachers are trained.<sup>5</sup> This demonstrates the necessity of SDG 4's provisions relating to teacher education and training for teachers and for the communities they serve.

Further, while funding for education is an ongoing issue at all levels, overall there has been even less support for environmental education and other international assistance related to education. This highlights the need for sustainable domestic financing of targets to ensure quality inclusive and equitable education, building on prior international commitments and a diverse network of international, regional, national and local institutions and actors. It is an ambitious agenda, and one that will require support to succeed. Governance powers to pass laws relating to aspects of SDG 4 such as language rights and education are split between the federal, provincial and territorial governments. Federal powers include governance of language rights, human rights, and accessibility. Legislative powers relating to education are exclusively provincial, with considerable variation in the educational systems across the provinces. The courts have also forcefully defended rights of linguistic minorities to have their children instructed in their own language.<sup>6</sup> This section will explore approaches to achieve SDG 4 at the federal, provincial and territorial level in Canada.

### Federal

***Canadian Charter of Rights and Freedom***  **Fundamental rights relating to education and language**

Development of a robust educational system across the country is grounded in recognition of equality and minority rights at the federal level and facilitated through provincial and territorial constitutional powers. Equal access to education is rooted in the *Canadian Charter of Rights and*

<sup>1</sup> UNESCO, 2011. EFA Global Monitoring Report – The Hidden Crisis: Armed conflict and education.

<sup>2</sup> <http://www.un.org/en/globalissues/briefingpapers/efa/>

<sup>3</sup> UNESCO, 2009. EFA Global Monitoring Report – Overcoming Inequalities: Why governance matters.

<sup>4</sup> UNESCO 2015, [http://en.unesco.org/gem-report/sites/gem-report/files/2015\\_report\\_dataviz/index.html](http://en.unesco.org/gem-report/sites/gem-report/files/2015_report_dataviz/index.html)

<sup>5</sup> UNESCO 2015, [http://en.unesco.org/gem-report/sites/gem-report/files/2015\\_report\\_dataviz/index.html](http://en.unesco.org/gem-report/sites/gem-report/files/2015_report_dataviz/index.html)

<sup>6</sup> For further discussion see: Peter W. Hogg, *Constitutional Law of Canada*, 5th Edition (Scarborough, ON: Thomson Carswell, 2007).

*Freedoms*, which provides that all citizens have the right to be free of discrimination based on race, ethnicity, religion, sex, age, or disability.<sup>7</sup>

Further, the *Charter* recognizes minority language rights, obliging provincial and territorial governments to offer education to citizens in the official language of their choice (English or French) where it is the parents' first language, the parents received primary or secondary instruction in Canada in that language, or the parents have a child who has or is receiving instruction in that language, even in areas where the language is a minority, provided there are sufficient numbers to warrant instruction.<sup>8</sup> The equity and access rights preserved in the *Charter* provide support for SDG target 4.1, as well as promoting gender and cultural equality in line with SDG target 4.5. This approach also supports near universal literacy in Canada in accordance with SDG target 4.6.



SDG 4.1, SDG 4.5, SDG 4.6.



Federal

### ***Federal-Provincial Fiscal Arrangements Act***



Modality for reimbursement of operating expenses for post-secondary institutions

Affordability is a fundamental aspect of access to education, both in terms of the scope of institutional services provided, as well as the costs of services to students, particularly in the higher education context. Under the *Federal-Provincial Fiscal Arrangements Act*, operating expenditures of universities and other post-secondary educations may be submitted for reimbursement or coverage by the federal government based on audited financial statements, providing an offset of some costs and assisting universities to remain open and keep tuition affordable.<sup>9</sup>



SDG 4.3, SDG 4.4.



Federal

### ***Canada Student Financial Assistance Act / Canada Education Savings Act***



Academic financial assistance and savings program

The *Canada Student Financial Assistance Act* provides a provincially administered loan program to assist students in financing post-secondary education.<sup>10</sup> An interest-free deferral program is provided for full-time students under the terms of the *Act*, along with allowances for loan forgiveness for family physicians and medical professionals serving remote or rural communities.<sup>11</sup> The *Canada Education Savings Act* aims to encourage financing of post-secondary education

<sup>7</sup> Canadian Charter of Rights and Freedoms, s 8, Part 1 of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11, Sec 15(1). [Charter of Rights and Freedoms, Charter]

<sup>8</sup> *Ibid*, Charter, Sec 23.

<sup>9</sup> Federal-Provincial Fiscal Arrangements Act, SC 1972, c 8, Sec 27.

<sup>10</sup> Canada Student Financial Assistance Act, SC 1994, c 28, Sec 6.1, 6.2. [CSTAA]

<sup>11</sup> *Ibid*, CSTAA, Sec 7-9.2.

through the establishment of a registered educational savings plan by parents for the benefit of their children.<sup>12</sup> Contributions of the first \$5,000 to the plan and capped annual contributions remain untaxed until they are withdrawn by the beneficiary, at which point they are classified as income for the beneficiary.<sup>13</sup> Given that most students have limited income, the CES provides a tax benefit to the providers and does not negatively impact the beneficiary. Together, these two federal laws provide students and parents gateways to finance higher education and seek to limit disparities across genders in line with SDG targets 4.3 and 4.4.



SDG 4.3, SDG 4.4.



Federal

### ***Education Agreement Act with the Anishinabe Nation*** **Localization of education in First Nations communities**

The *Education Agreement Act with the Anishinabe Nation* provides for First Nations governance and administration of educational programs under the jurisdiction of the Anishinabe Nation and its communities.<sup>14</sup> Under the *Act*, these communities may establish a school authority, develop governance documents, and participate in the regional school board.<sup>15</sup> Similar provisions are contained in many of the so-called modern treaties between the governments of Canada and various First Nations communities across the country. Localization of educational governance with First Nations communities is an important mechanism to maintain cultural integrity and access to education in support of SDG targets 4.5 and 4.7.



SDG 4.5, SDG 4.7.



Federal

### ***Council of Ministers of Education Canada (CMEC)*** **Federal and provincial body for collaboration on education**

An intergovernmental body representing all provinces and territories, the Council of Ministers of Education Canada (CMEC) provides a mechanism for initiations of actions that support Canadian and international education.<sup>16</sup> In 2008, the CMEC launched Learn 2020 as a pan-Canadian education framework which prioritized indigenous community education, education for sustainable development, and learning system development, empowering provincial and territorial ministers

<sup>12</sup> Canada Education Savings Act, SC 2004, c 26, s 3.

<sup>13</sup> Canada Tax Act, R.S.C., 1985, c. 1, Sec 146.1(2)(g.1)

<sup>14</sup> Loi sur l'accord en matière d'éducation conclu avec la Nation des Anishinabes, LC 2017, c 32, Sec 4, 8. [EAAAAN]

<sup>15</sup> *Ibid*, EAAAAN, Sec 10-11.

<sup>16</sup> Council of Ministers of Education, Canada, "About Us," online: <[www.cmec.ca/11/About\\_Us.html](http://www.cmec.ca/11/About_Us.html)>.

to engage stakeholders under a common framework domestically and internationally.<sup>17</sup> This approach supports the achievement of SDG 4 on the whole, as well as SDG targets 4.5, 4.7 and 4.c.



SDG 4.5, SDG 4.7, SDG 4.c.



Federal

## Provincial and Territorial Laws

Canada maintains a rich legal framework of protections against discrimination and the guarantee of access to education. The provision of quality education contributes to the achievement of numerous areas of sustainable development, including halting the intergenerational transmission of poverty and inequality. It generates both short-term positive benefits and cumulative long-term gains, and delivers benefits to individuals and society at large. Despite this, the differential rates of secondary school graduation between non-Indigenous and Indigenous students remains a challenge.<sup>18</sup> These initiatives and institutions operate against the backdrop of law and governance approaches at the provincial and territorial level, where a number of innovative laws and practices exist.

*4.1 by 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.*

### *School Act*



**Institutional framework for provincial regulation of the energy sector**

The British Columbia *School Act* establishes the provincial framework for administration of elementary and secondary education.<sup>19</sup> The *Act* provides for English language educational instruction,<sup>20</sup> as well as minority language education in line with the requirements of the *Charter*.<sup>21</sup> Students are obliged to comply with the rules as administered by the principal and the code of conduct as agreed by the provincial school board, and must attend and participate in the educational program.<sup>22</sup> Parents are entitled to be informed of a student's attendance, behavior

<sup>17</sup> Council of Ministers of Education, "Learn 2020" (15 April 2008), online: <[www.cmec.ca/Publications/Lists/Publications/Attachments/187/CMEC-2020-DECLARATION.en.pdf](http://www.cmec.ca/Publications/Lists/Publications/Attachments/187/CMEC-2020-DECLARATION.en.pdf)>.

<sup>18</sup> Canadian Council of Ministers of Education, Canada's response to the UNESCO Ninth Consultation of Member States on the Implementation of the Convention and Recommendation against Discrimination in Education, (2018), online: <[www.cmec.ca/Publications/Lists/Publications/Attachments/382/Canadian-report-on-anti-discrimination-in-education-EN.pdf](http://www.cmec.ca/Publications/Lists/Publications/Attachments/382/Canadian-report-on-anti-discrimination-in-education-EN.pdf)>. [CCME 2018]

<sup>19</sup> School Act, RSBC 1996, c 412, preamble, Sec 2-3. [BC SA]

<sup>20</sup> *Ibid*, BC SA, Sec 5(1).

<sup>21</sup> *Ibid*, BC SA, Sec 5(2-5).

<sup>22</sup> *Ibid*, BC SA, Sec 6.

and scholastic progress, to belong to a parents' advisory council, and to provide volunteer services for the school.<sup>23</sup>

The *Act* further provides for: (i) an appeals process for decisions which affect the education, health, or safety of a student, including escalation to the superintendent,<sup>24</sup> (ii) governance of roles, responsibilities, and qualifications of school personnel,<sup>25</sup> including assistants for students with special needs,<sup>26</sup> (iii) terms and conditions regarding collective bargaining with teachers,<sup>27</sup> (iv) establishment and powers of the board of education,<sup>28</sup> (v) school calendars and health services,<sup>29</sup> (vi) home schooling,<sup>30</sup> and (vii) administrative, financial, and reporting requirements.<sup>31</sup> In addition, a parallel francophone educational authority is established, including a dedicated educational program and associated board of trustees.<sup>32</sup> Development of a framework for administration of educational services, including provisions for minority language education governed under a dedicated system, ensures that educational institutions are inclusive, support the integrity of minority language and cultural traditions, and promote an environment of learning in line with the whole of SDG 4.



**SDG 4.**



**British Columbia**

*4.2 by 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.*

## ***Education Acts***



**Mechanisms to address the learning and language needs of students**

Ontario allows for creation of separate rural school boards under the *Education Act*. Composed of a three-members, these boards are mandated to promote a positive, inclusive, non-violent (anti-bullying) learning environment, as all other school boards.<sup>33</sup> The Saskatchewan *Education Act* also provides for francophone education areas and registration for home-based learning programs.<sup>34</sup> Under the Nunavut *Education Act Consolidation of Inclusive Education Regulations*, teachers are empowered to consider a student's learning needs (linguistic, social, emotional, and behavioral)

<sup>23</sup> *Ibid*, BC SA, Sec 7-8.

<sup>24</sup> *Ibid*, BC SA, Sec 11-11.1.

<sup>25</sup> *Ibid*, BC SA, Sec 15-23.

<sup>26</sup> *Ibid*, BC SA, Sec 18.1.

<sup>27</sup> *Ibid*, BC SA, Sec 27-29.

<sup>28</sup> *Ibid*, BC SA, Sec 30-54, 65-87.

<sup>29</sup> *Ibid*, BC SA, Sec 87.01-92.

<sup>30</sup> *Ibid*, BC SA, Sec 12-14.

<sup>31</sup> *Ibid*, BC SA, Sec 95.3-95.63, 106.1-137.

<sup>32</sup> *Ibid*, BC SA, Sec 166.1-166.47.

<sup>33</sup> Education Act, R.S.O. 1990, c. E.2, Sec 88-90, 169.1.

<sup>34</sup> The Education Act, SS 1995, c E0.2, Sec 43, 157(1).

and formulate an individual student support plan.<sup>35</sup> Each plan describes the strengths and needs of a student, the specific adjustments to be made to the curriculum, and measurable annual goals.<sup>36</sup> A student-centric planning model assists in bridging socio-cultural, economic, or behavioral divides through an inclusive approach that is in line with SDG targets 4.1 and 4.5.



SDG 4.1, SDG 4.5.



Ontario, Saskatchewan, Nunavut

### *Child Care and Early Years Act*



Regulation of early childhood care providers

Early childhood care in Ontario is governed by the *Child Care and Early Years Act*, which regulates both licensed and home child care providers, with the latter limited to a maximum of six children under their care, including their own.<sup>37</sup> The *Act* provides for a licensing procedure,<sup>38</sup> inspection of the premises of care,<sup>39</sup> and establishment of a pedagogical framework which supports early childhood development, community needs, and is respectful of Indigenous and other stakeholder perspectives.<sup>40</sup> Qualifications, educational and certification requirements for early childhood educators are governed by the *Early Childhood Educators Act*,<sup>41</sup> as well as providing administrative measures for processing of complaints, discipline, and questions of fitness to practice.<sup>42</sup> Licensing procedures for childcare and early childhood education assist in ensuring a high quality of early childhood educational in line with SDG targets 4.2 and 4.6.



SDG 4.2, SDG 4.6.



Ontario

### *An Act to amend the Education Act*



Provisions to establish pre-school for underprivileged children

Quebec, in *An Act to amend the Education Act* in regards to certain educational services for students living in disadvantaged neighborhoods and at least four years of age provides the Minister with the power to organize pre-school education for children from underprivileged environments.<sup>43</sup> Specific modalities to include vulnerable communities in early childhood educational programs are in line with the equality, access and inclusivity aspects of SDG targets 4.1, 4.2, and 4.5.



SDG 4.1, SDG 4.2, SDG 4.5.

<sup>35</sup> Consolidation of Inclusive Education Regulations, Nunavut Reg (NU) 017/2011, Sec 1-3. [Nu IE regs]

<sup>36</sup> *Ibid*, Nu IE regs, Sec 6.

<sup>37</sup> Child Care and Early Years Act, SO 2014, c 11, Sched. 1, Sec 1, 5(1). [On CCEYA]

<sup>38</sup> *Ibid*, On CCEYA, Sec 20.

<sup>39</sup> *Ibid*, On CCEYA, Sec 24, 28-35.

<sup>40</sup> *Ibid*, On CCEYA, Sec 49, 55(3).

<sup>41</sup> Early Childhood Educators Act, SO 2007, c 7, Sched. 8, Sec 6-8, 25. [On ECEA]

<sup>42</sup> *Ibid*, On ECEA, Sec 31-32.

<sup>43</sup> Loi modifiant la Loi sur l'instruction publique concernant certains services éducatifs aux élèves vivant en milieu défavorisé et âgés de quatre ans, LQ 2013, c 14, Art 461.1.





### ***New Early Learning and Child Care Investments / Early Learning and Child Care Action Plan***

Financial resources and strategic planning for early childhood education

In 2017, Prince Edward Island passed the *New Early Learning and Child Care Investments: PEI Action Plan*, which aimed to expand access for underserved populations and children from vulnerable groups, providing dedicated funding from 2017-2020 for increased pre-school services, child care subsidization, support for special needs, and the Acadian and Francophone community.<sup>44</sup>

New Brunswick adopted a similar approach with the passage of the *Everyone at their Best...from the Start: Early Learning and Child Care Action Plan*.<sup>45</sup> The plan sets in place 10-year objectives for early childhood education, including: creation of new early learning centres, parent advisory boards and online resources, establishment of centres of excellence in preschool education, implementation of professional development opportunities for educators and guidelines for cultural identity learning environments, and creation of annual quality improvement plans for all facilities, with funding established to support these initiatives.<sup>46</sup> Use of strategic planning instruments allows for core aspects of SDG 4 to be supported over the short and long term. This also supports creation and upgrading of facilities in line with SDG target 4.a

SDG 4.2, SDG 4.3, SDG 4.6, SDG 4.a

Prince Edward Island, New Brunswick

**4.3** *by 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.*

**4.4** *by 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.*

<sup>44</sup> Prince Edward Island, *New Early Learning and Child Care Investments: PEI Action Plan*, 2017, online: <[www.princeedwardisland.ca/sites/default/files/publications/peiearlylearningactionplan\\_web\\_2017.pdf](http://www.princeedwardisland.ca/sites/default/files/publications/peiearlylearningactionplan_web_2017.pdf)>.

<sup>45</sup> New Brunswick, "Everyone at their Best... from the Start: Early Learning and Child Care Action Plan" Department of Education and Early Childhood Development (2016), online: <[www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Promo/early\\_childhood/early\\_learning\\_childcare\\_actionplan.pdf](http://www2.gnb.ca/content/dam/gnb/Departments/eco-bce/Promo/early_childhood/early_learning_childcare_actionplan.pdf)>. [NB ECD Plan]

<sup>46</sup> *Ibid*, NB ECD Plan, at 5-9.

## ***Ontario College of Teachers Act / Trade Schools Regulation Act*** / Framework for accreditation, certification, and oversight of education professionals

Ontario, through the *Ontario College of Teachers Act*, establishes a framework for accreditation, certification, governance, and oversight of educational professionals within the province.<sup>47</sup> The College is governed by a 37-person council (23 elected by members, and 14 appointed by the Lieutenant Governor) that establishes procedures for review and granting of teaching certificates,<sup>48</sup> and appoints members to the Investigation Committee and the Discipline Committee to investigate and decide on cases of professional misconduct.<sup>49</sup>

Through the Yukon *Trade Schools Regulation Act*, all schools functioning as trade schools must register with the territory, provide sufficient materials and equipment to teach the specific trade, and be approved by a designated inspector.<sup>50</sup> Effective governance allows for administration of a high quality of education in support of SDG 4.3 and 4.4.

 SDG 4.3, SDG 4.4.

 Ontario, Yukon

## ***Attendance Areas Regulation / Student Financial Assistance Act*** / Defined boundaries for rural schools, a right to education, and financial support

Promotion of quality technical, vocational, and professional education are important pillars for the achievement of SDG targets 4.3 and 4.4. The Yukon *Attendance Areas Regulation*, enacted under the province's *Education Act*, provides precise descriptions of the applicable geographic area for admittance to an elementary or secondary school in the territory, with many of the institutions defined by longitude and latitude boundaries.<sup>51</sup> A right to education and to enroll in an educational program is provided for all citizens, permanent residents, those lawfully admitted for temporary residence, and their children.<sup>52</sup>

Parents may choose home, private or public schooling,<sup>53</sup> with submission of a home education program required annually, and distance learning options are also provided.<sup>54</sup> The latter is an important and pragmatic response to the climate and geography of the Yukon and seeks to ensure the maximum access to education for children across the territory. In addition, the Yukon *Student Financial Assistance Act* provides for the provision of financial assistance by way of grant, scholarship, or loan to eligible students at post-secondary institutions,<sup>55</sup> as well as a mechanism for appealing decisions and development of regulations.<sup>56</sup> Through clear boundary delineation,

<sup>47</sup> Ontario College of Teachers Act, SO 1996, c 12, Sec 3. [On CTA]

<sup>48</sup> *Ibid*, On CTA, Sec 2, 17.2-18.

<sup>49</sup> *Ibid*, On CTA, Sec 25, 27.

<sup>50</sup> Trade Schools Regulation Act, RSY 2002, c 221, Sec 1-7.

<sup>51</sup> Education Act MO 1990/03, Attendance Areas Regulation, Schedule A.

<sup>52</sup> Education Act MO 1990/03, Sec 10-11. [Yu EA]

<sup>53</sup> *Ibid*, Yu EA, Sec 19.

<sup>54</sup> *Ibid*, Yu EA, Sec 30-31.

<sup>55</sup> Student Financial Assistance Act, SY 2016, c 9, Sec 2, 5. [Yu SFAA]

<sup>56</sup> *Ibid*, Yu SFAA, Sec 8.1-8.3, 14.

inclusion of an explicit right to education, and modalities for home and distance learning, this approach aims to foster an inclusive educational structure in line with SDG targets 4.3, 4.4, and 4.5.

 SDG 4.3, SDG 4.4, SDG 4.5, SDG 4.b.

 Yukon

### ***Universities and Degree Granting Institutions Act*** Distance or electronic university-level educational services

Through the *Universities and Degree Granting Institutions Act*, Nunavut allows for universities outside of the territory to provide distance and electronic education services with the written permission of the Minister.<sup>57</sup> Investigative, disciplinary, and certification functions play an important role in maintaining the quality of the educational programs within the province in line with SDG targets 4.3 and 4.4. Providing recognition of extra-territorial or distance learning institutions as operating within the territory is a useful mechanism to foster education in rural areas while reducing the cost of out of province tuition in line with SDG targets 4.3 and 4.4.

 SDG 4.3, SDG 4.4

 Nunavut

**4.5** *by 2030, eliminate gender disparities in education and 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.*

**4.6** *by 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy.*

### ***Consolidation of French First Language Education Regulations*** Equal recognition of French and English, as well as Indigenous languages

The Nunavut *Consolidation of French First Language Education Regulations* provide a framework for French language education in accordance with the *Charter*, the development of a parents advisory committee to consider the issue, and the creation of a French-language school board where requested and deemed warranted by the Minister.<sup>58</sup> Providing education in both official

<sup>57</sup> Universities and Degree Granting Institutions Act, SNU 2008, c 15, Sec 2-4.

<sup>58</sup> Consolidation of French First Language Education Regulations, NWT Reg (NU) 166/1996, Sec 2-8.

Canadian languages, English and French, as well as granting recognition of indigenous languages for the purposes of education is important to foster an inclusive environment for education in line with SDG 4.



SDG 4.5, SDG 4.6.



Nunavut

***Francophone Community Enhancement and Support Act / Université de Saint-Boniface Act***



Program and institutions to support Francophone education, including at the university level

Under the terms of the Manitoba *Francophone Community Enhancement and Support Act*, the Francophone Affairs Secretariat and Advisory Council are created to support the enhancement of the Francophone community in the province.<sup>59</sup> Public bodies are required to provide a French-Language Service Plan describing multi-year strategic initiatives relating to the provisions of services in French.<sup>60</sup> Manitoba also used the *Université de Saint-Boniface Act* to transition Le Collège de Saint-Boniface into Université de Saint-Boniface, an institution affiliated with the University of Manitoba, to foster French-language scholarship and culture in the province.<sup>61</sup> Development of mechanisms that promote, support, and provide access to minority language educational services enhances literacy and cultural diversity in line with SDG targets 4.5 and 4.6.



SDG 4.5, SDG 4.6.



Manitoba

<sup>59</sup> The Francophone Community Enhancement and Support Act, C.C.S.M. c. F157, Sec 6-10. [Man FCESA]

<sup>60</sup> *Ibid*, Man FCESA, Sec 11-12.

<sup>61</sup> Université de Saint-Boniface, CCSM c U50, Sec 2-3, 5.

*4.7 by 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship, and appreciation of cultural diversity and of culture's contribution to sustainable development.*

*4.b by 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States, and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries.*

### ***Saskatchewan Human Rights Code***



**Code of rights and review mechanism for educational institutions**

The *Saskatchewan Human Rights Code* provides for a right to education free from discrimination in any school, college, university, or vocational training institution,<sup>62</sup> with the Human Rights Commission empowered to develop and conduct educational programs designed to eliminate discrimination and to promote an understanding of legal rights in the province.<sup>63</sup> By recognizing the connections between education and human rights and the need for it to be implemented at the provincial level as well as the national level, the *Saskatchewan Human Rights Code* recognizes the underlying issues involved in the meaningful provision of education for all in line with SDG 4.7.



**SDG 4.7.**



**Saskatchewan**

### ***Sustainable Development Act / An Act to Prevent and Combat Bullying and Violence in Schools***



**Education in sustainable development and promotion of a safe educational environment**

<sup>62</sup> Saskatchewan Human Rights Code, SS 2018, c S24.2, Sec 3, 13(1). [Sask HRC]

<sup>63</sup> *Ibid.*, Sask HRC, Sec 24(c-d).

The Quebec *Sustainable Development Act* includes measures which promote access to knowledge, education, research, and public engagement on sustainable development.<sup>64</sup> In addition, through *An Act to Prevent and Combat Bullying and Violence in Schools*, Quebec amends the *Education Act* with the aim of creating a safe and healthy learning environment through development of a plan with measures to eliminate intimidation, violence, and discrimination, and to encourage collaboration across all levels to combat bullying and violence.<sup>65</sup> Taken together, these laws seek to ensure quality of access to education and protections from violence in education in line with SDGs 4.7 and 4.a.



SDG 4.7, SDG 4.a.



Quebec

### *Official Languages Acts*



Recognition, protection and education relating to indigenous languages and culture

Under the Northwest Territories *Official Languages Act*, English and French, as well as Chipewyan, Cree, Gwich'in, Inuinnaqtun, Inuktitut, Inuvialuktun, North Slavey, South Slavey and Tâchô are recognized as official languages<sup>66</sup> with equal status for use in government institutions (to the extent possible), the legislature, court proceedings, and public notices.<sup>67</sup> Publication of government materials, such as the Gazette, is required to be made in English and French, however both are equally authoritative.<sup>68</sup> The fundamentals of the framework are implemented by the Languages Commissioner, who is obliged to provide reporting on progress and provide recommendations.<sup>69</sup>

An Official Language Board and an Aboriginal Languages Revitalization Board are further created under the *Act*, with the bodies comprised of representatives of each language, and provided distinct mandates. The Official Language Board reviews the rights and status of linguistic use, while the Aboriginal Languages Revitalization Board recommends programs and initiatives to elevate the effectiveness of the *Act*.<sup>70</sup> In the *Official Languages Act*, Nunavut recognizes Inuit, English, and French as the official languages of the territory, with similar usage rights as in the Northwest Territories, and establishes the Official Languages Promotion Fund to advance the equal status of Inuit community members, improve Inuit literacy levels, and strengthen the vitality of the language communities of the territory.<sup>71</sup> Through recognition of multiple official languages, the creation of institutions to protect a variety of languages throughout the country, and the provision of funding to strengthen indigenous languages, Canada and its provinces and territories can be seen as acting in accordance with SDG 4.7 and SDG 4.b.

<sup>64</sup> Loi sur le développement durable, RLRQ c D-8.1.1, arts 6(f), 11.

<sup>65</sup> Loi visant à prévenir et à combattre l'intimidation et la violence à l'école, LQ 2012, c 19, Sec 18.1, 63.1, 75.1, 210.1.

<sup>66</sup> Official Languages Act, RSNWT 1988, cO-1, Sec 4. [NWT OLA]

<sup>67</sup> *Ibid*, NWT OLA, Sec 5-10.

<sup>68</sup> *Ibid*, NWT OLA, Sec 12.

<sup>69</sup> *Ibid*, NWT OLA, Sec 14-23.

<sup>70</sup> *Ibid*, NWT OLA, Sec 28-31.

<sup>71</sup> Official Languages Act, S.Nu. 2008,c.10, Sec 3-11, 13.1.



 SDG 4.7, SDG 4.b.

 Northwest Territories, Nunavut

### ***Education for Sustainable Development (ESD) Grants*** Grants for activities relating to education for sustainable development

Manitoba Education and Training and Manitoba Hydro offer Education for Sustainable Development (ESD) Grants of up to \$2000 to support elementary and secondary schools in the development of effective educational programs and initiatives relating to sustainable development.<sup>72</sup> Establishment of access rights, and strategic planning tools to foster knowledge relating to sustainable development, eliminate discrimination, and create measures to minimize bullying, a culture of inclusive education, human rights, cultural diversity, and equality can be fostered in line with SDG target 4.7.

 SDG 4.7.

 Manitoba

*4.a build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.*

*4.c by 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.*

### ***Libraries Co-operation Act***

 Cooperation and funding for provincial library institutions

The Saskatchewan *Libraries Co-operation Act* formalized co-operation between institutions that promote literacy by creating a Multitype Library Board which advises the Minister on the development of the provincial library system and the Provincial Library, which provides operational, policy, and technical support to provincial institutions.<sup>73</sup> Over the period between 2017 and 2018, nearly \$8 million in grants for library initiatives was provided, including for:

<sup>72</sup> Manitoba, "Grants for Education for Sustainable Development 2019," online: <[www.edu.gov.mb.ca/k12/esd/grant/esd\\_19.html](http://www.edu.gov.mb.ca/k12/esd/grant/esd_19.html)>; Manitoba, "Manitoba Grants for Education for Sustainable Development Learning Together for a Sustainable Future Kindergarten to Grade 12," (2019), online: <[www.edu.gov.mb.ca/k12/esd/grant/docs/brochure\\_19.pdf](http://www.edu.gov.mb.ca/k12/esd/grant/docs/brochure_19.pdf)>.

<sup>73</sup> The Libraries Co-operation Act, SS 1996, c L14.01, Sec 3-5, 11-13. [Sask LCOA]

multilingual library materials, for out-of-province interlibrary loans, summer reading initiatives, cataloguing services, coordination and support of the province-wide public library system.<sup>74</sup> Coordination of literacy institutions and teachers through governance bodies enhances policy linkages, improves programming efficiencies, and optimizes the use of funding, furthering SDG targets 4.6, 4.7, and 4.a.



SDG 4.6, SDG 4.7, SDG 4.a.



Saskatchewan

### *Manitoba Teachers' Society Act*



Institutional framework for teachers

Through the *Manitoba Teachers' Society Act*, the province created an institutional framework to promote the supply of qualified teachers, advocate for a strong educational system, promote of high educational standards, and facilitate domestic and international cooperation to address literacy issues.<sup>75</sup> Promotion of educational providers of teachers through governance bodies enhances policy linkages, improves programming efficiencies, and optimizes the use of funding, furthering SDG targets 4.6, 4.7, 4.a and 4.c.



SDG 4.6, SDG 4.7, SDG 4.c.



Manitoba

## III. International Legal Dimensions of SDG 4

International law and policy has a large role to play in facilitating and accelerating universal access to quality education. While the SDGs are non-binding in nature, it cannot be said that they have no legal effect. As Judge Lauterpacht explained in the *South West Africa, Voting Procedure Case*:

A Resolution recommending to an Administering State a specific course of action creates some legal obligation which, however rudimentary, elastic and imperfect, is nevertheless a legal obligation and constitutes a measure of supervision. The State in question, while not bound to accept the recommendation, is bound to give it due consideration in good faith.<sup>76</sup>

Thus, although the SDGs may not all reflect international customary law or binding treaty obligations, States will be required to consider them as recommendations of the international community in good

<sup>74</sup> Saskatchewan, "Report of Saskatchewan Public Libraries Engagement," (2018), at 12-13, online: <<http://publications.gov.sk.ca/documents/11/109876-Library%20Engagement%20Report,%202019.pdf>>.

<sup>75</sup> The Manitoba Teachers' Society Act, SM 2016, c 4, Sec 3.

<sup>76</sup> Advisory Opinion, [1955] ICJ Rep 67 at 118-19.

faith. Moreover, the SDGs can be considered to provide the normative context for treaty implementation,<sup>77</sup> grounded in a range of international treaty commitments.<sup>78</sup> International treaties have been designed to balance incentives and disincentives and to motivate and influence behavioural change among States and their domestic actors. Canada is a Party to many of these agreements, providing areas of opportunity for furthering SDG 4 in the international and national levels. For the purpose of this Toolkit, focus is placed on how international agreements and frameworks provide a primary trigger to further strengthen governance, law and policy in support of SDG 4.

**Table 1: Relevant International Agreements**

Universal Declaration on Human Rights (UDHR) International Covenant on Economic, Social and Cultural Rights (ICESCR) International Covenant on Civil and Political Rights (ICCPR) Convention on the Rights of Persons with Disabilities (CRPD) Convention on the Elimination of All Forms of Racial Discrimination (CERD) International Labor Organization's Indigenous and Tribal Convention (ILO 169) Convention on the Rights of the Child (UNCRC) Convention on the Protection of the Rights of All Migrant Workers and Members of the Families Convention on the Elimination of all Forms of Discrimination Against Women The United Nations Framework Convention on Climate Change (UNFCCC) The Paris Agreement to the United Nations Framework Convention on Climate Change World Declaration on Education for All
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***Universal Declaration on Human Rights (UDHR)***  **Early recognition of education as an essential right**

SDG 4 reflects existing international law commitments to realize the human right to education, an essential right recognized in key human rights treaties and instruments. The Universal Declaration on Human Rights (UDHR), in which Article 26(1) covers access to education and (2) covers educational content,<sup>79</sup> supports SDG target 4.1 by providing that all girls and boys should complete free, equitable and quality primary and secondary education leading to relevant and

<sup>77</sup>Cf. e.g. Miller-Dawkins, May, *Global goals and international agreements. Lessons for the design of the Sustainable Development Goals*, ODI Working Paper 402, Overseas Development Institute November 2014, available at <http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9295.pdf> (last accessed 2015-06-13).

<sup>78</sup> This section of the toolkit draws upon research previously conducted through a collaboration of CISDL and UNEP. See: Claire Fenton-Glynn & Pamela Sambo, "SDG 4 on Ensuring Inclusive and Equitable Quality Education: Contributions of International Law, Policy and Governance," Issue Brief 2016 (CISDL-UNEP).

<sup>79</sup> Universal Declaration of Human Rights, GA Res. 217A (III), U.N. Doc A/810 at 71 (1948), at Article 26(1), states that everyone shall have the right to education. It requires that education be free and compulsory, at least in the elementary stages, that technical and professional education be made generally available, and higher education equally accessible to all on the basis of merit. Article 26(2) focuses on the content of education, providing that it shall be directed towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It is required to promote understanding, tolerance, and friendship among all nations, racial or religious groups, and further the activities of the United Nations for the maintenance of peace.

effective learning outcomes, SDG target 4.2 by aiming to ensure to access to quality early childhood development, care and pre-primary for all, and SDG target 4.3 by ensuring equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university. Indeed, the governance mechanisms adopted under the UDHR may contribute to the implementation of the SDG 4 by encouraging the adoption of regionally, nationally and locally appropriate measures to improve equal access for women to quality technical and vocational education.

### Relevance for Canada

Since the adoption of the UDHR, Canada has continued to develop a framework for the preservation of human rights, culminating most recently in the passage of the *Charter of Rights and Freedoms* in 1982. Progress in actualizing the provisions of UDHR has proven more difficult, in particular rights relating to food, housing, health care, and security in rural areas and Indigenous communities.

 SDG 4.1, SDG 4.2, SDG 4.3, SDG 4.4, SDG 4.5, SDG 4.6, SDG 4.7.

 United Nations Declaration. Canada supported.

### *International Covenant on Economic, Social and Cultural Rights (ICESCR)* Framework agreement on economic, social and cultural rights


SDG 4 is supported by commitments in the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>80</sup> Article 13 of the ICESCR builds on the right to education set out in the UDHR and extends it, providing that secondary education must be not only generally available, but also accessible to all by every appropriate means, and in particular by the progressive introduction of free education. As such, both the UDHR and the ICESCR recognise that the right to education belongs not only to children, but is also a continuous process that will continue through an individual's life. This supports SDG targets 4.2 and 4.3, which go beyond the initial MDG focus on primary education, to encompass access to pre-primary, secondary, tertiary, vocational and technical education.

ICESCR Article 13 also refers to the requisite conditions needed to fulfill the right to education by requiring that the development of a system of schools at all levels be actively pursued, an adequate fellowship and training system be established, and that the conditions for teaching staff be continuously improved, together supporting the achievement of SDG targets 4.b and 4.c. Further, Article 14 of the ICESCR requires each State Party that has not achieved free and compulsory primary education at the time of ratification to develop a detailed plan of action for the progressive realisation of this right within a reasonable number of years. As such, the ICESCR calls on State Parties to develop a plan to implement many aspects of what would become SDG 4 on Education, and the plans of action for progressive realisation of the right to primary education might become already-developed mandates for action for countries and regions – and donors – seeking to implement SDG 4.

<sup>80</sup> International Covenant of Economic, Social and Cultural Rights, 16 December 1966, UNTS vol 993, p.3.

### Relevance for Canada

Canada has long pursued human rights law implementation, acceding to the ICESCR in 1976. Canada provided its Sixth Periodic Report to the UN Committee on Economic, Social and Cultural Rights in 2012, receiving a list of issues in 2015, and a follow up meeting with the Committee in which federal and provincial leadership answered questions relating to domestic implementation.<sup>81</sup> While domestic progress was noted, further efforts are needed to support rural and indigenous communities.

 SDG 4.1, SDG 4.2, SDG 4.3, SDG 4.4, SDG 4.5, SDG 4.6, SDG 4.7.

 International Agreement. Canada is a Party.

### *International Covenant on Civil and Political Rights (ICCPR)* Framework agreement on civil and political rights

The International Covenant on Civil and Political Rights (ICCPR) guarantees the rights of parents and/or adult custodians to “ensure the religious and moral education of their children in conformity with their own convictions.”<sup>82</sup> This furthers SDG target 4.5 by ensuring that students from marginalized, vulnerable and/or discriminated against groups are included in educational opportunities without having to sacrifice or change their beliefs and identities.

### Relevance for Canada

Canada has worked to progress civil and political rights by embedding them in the constitutional framework and ongoing refinement at all levels. In 2013, Canada submitted its 6<sup>th</sup> Report to the ICCPR oversight committee, covering the 2005-2009 period.<sup>83</sup> While domestic progress was noted, further efforts are needed to support rural and indigenous communities.

 SDG 4.5.

 International Agreement. Canada is a Party.

### *Convention on the Rights of Persons with Disabilities* Recognition and protections for the special needs of those with disabilities

<sup>81</sup> Canada, Sixth Periodic Report on the implementation of the provisions of the International Covenant on Civil and Political Rights, (2012) CCPR/C/CAN/6; UNHR, “Human Rights Committee discusses the report of Canada” (8 July 2015), online: <[www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16215&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16215&LangID=E)>; Economic and Social Council, Concluding observations on the sixth periodic report of Canada, (23 March 2016) E/C.12/CAN/CO/6.

<sup>82</sup> International Covenant on Civil and Political Rights, 23 March 1976, UNTS vol. 999 p. 171 art. 18 (4). Similar language and requirements are contained in Article 12 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of the Families.

<sup>83</sup> Canada, International Covenant on Civil and Political Rights, Sixth Report of Canada (January 2005-December 2009), (2013) online: <[www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/intnl\\_civil\\_politique-intnl\\_civil\\_political-eng.pdf](http://www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/intnl_civil_politique-intnl_civil_political-eng.pdf)>.

Inclusion of and protections for vulnerable groups in the context of education is provided for in the Convention on the Rights of Persons with Disabilities, which requires that educators, among others, are to take measures to counter discrimination and abuse against those with disabilities.<sup>84</sup> Additionally, the Convention enshrines the right to education for persons with disabilities, including rights to access all levels of education, to be free from discrimination in the context of accessing and participating in the education system, to be provided with teachers and materials geared toward accommodating specific disabilities (such as educational materials printed in Braille), and to access technical and vocational training schools and systems.<sup>85</sup>

As an overall aim, the Convention seeks to ensure that persons with disabilities are able to fully participate in society.<sup>86</sup> Similar provisions regarding non-discrimination in education and in teaching systems exist in the *International Convention on the Elimination of All Forms of Racial Discrimination*.<sup>87</sup> These terms of the Convention are essential to the accomplishment of both target 4.1 and 4.5.

### Relevance for Canada

Canada has made significant advancements on facilitating access for those with disabilities. In 2014, Canada provided the First Report to the Convention oversight committee, with further issues discussed and concluded in 2017 noting domestic progress with limitations, and requiring a further report in 2020.<sup>88</sup>



SDG 4.1, SDG 4.5.



International Agreement. Canada is a Party.

### *Indigenous and Tribal Convention (ILO No. 169)* Provides for consultations and direct involvement in educational framework

The recognition and protection of the education rights of all peoples are further protected in the International Labor Organization's Indigenous and Tribal Convention (No. 169), which requires that State Parties take measures "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."<sup>89</sup> This requirement includes consultations with and the direct involvement of indigenous community members in the process of educational planning and implementation in order to ensure that traditional beliefs and practices are respected and that indigenous community members have the educational access and opportunities necessary to be fully participating members of national and local society.<sup>90</sup> An important aspect of these rights is the availability of

<sup>84</sup> Convention on the Rights of Persons with Disabilities, 3 May 2008, UNTS 2515 p. 8 art. 18(1).

<sup>85</sup> *Ibid.* at art. 24.

<sup>86</sup> *Ibid.* at art. 26.

<sup>87</sup> Convention on the Elimination of All Forms of Racial Discrimination, 4 January 1969, UNTS vol. 660 p. 195.

<sup>88</sup> Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Canada, (8 May 2017), CRPD/C/CAN/CO/1, online: <[www.canada.ca/en/canadian-heritage/services/canada-United-nations-system/reports-united-nations-treaties.html](http://www.canada.ca/en/canadian-heritage/services/canada-United-nations-system/reports-united-nations-treaties.html)>.

<sup>89</sup> International Labor Organization's Indigenous and Tribal Convention, 5 September 1991, C69, art. 26.

<sup>90</sup> *Ibid.* at arts. 26, 27.



instruction in and education in indigenous languages and cultures.<sup>91</sup> Together, these terms of the ILO Convention provide an essential foundation for the implementation of targets 4.1, 4.5 and 4.7.

### Relevance for Canada

While Canada is not a State Party, there are significant overlaps with obligations under a range of other instruments, and the ILO Convention demonstrates the power of international laws and agreements to reinforce each other. Further efforts towards reconciliation would benefit from adoption of the Conventions and its principles.



SDG 4.1, SDG 4.5, SDG 4.7.



International Agreement. Canada is not a Party.

### *Convention on the Rights of the Child (UNCRC)* Provides a foundation for promotion of strong educational institutions

Several important targets of SDG 4 can be linked to State commitments under the UN Convention on the Rights of the Child (UNCRC),<sup>92</sup> which has been nearly universally ratified. For instance, Article 28 of the UNCRC recognizes that while the right to education may be progressively achieved, it must be done on the basis of equal opportunity. The UNCRC requires that primary education be compulsory and freely available to all, and, importantly, obliges States to take measures to encourage regular attendance at schools and the reduction of drop-out rates. This aligns with, and supports, SDG targets 4.1 and 4.6. The UNCRC further provides that States must encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering of financial assistance in case of need. In addition, it requires States to make higher education accessible to all on the basis of capacity by every appropriate means, and to make educational and vocational information and guidance available and accessible to all children.

Importantly, in the context of the SDGs, UNCRC Article 28 requires States to promote and encourage international cooperation on matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries. This supports SDG targets 4.6, 4.a and 4.b, and the international cooperation systems established under the UNCRC might be activated to support the environmental and other pillars of the SDG 4 in this respect.

UNCRC Article 29 further provides that education shall be directed towards the development of the child to his or her fullest potential. This includes the development of respect for human rights

<sup>91</sup> *Ibid.* at art. 28.

<sup>92</sup> Convention on the Rights of the Child, 20 November 1989, UNTS vol. 1577 p. 3.

and fundamental freedoms, the preparation of the child for a responsible life in a free society, and the development of respect for the natural environment. This aligns with, and is extended by, SDG target 4.7, which sets out to ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including through education for sustainable development and sustainable lifestyles.

### Relevance for Canada

Canada is a Party to the UNCRC as well as the Optional Protocols (relating to armed conflict and child trafficking), having provided the Fourth Report to the UNCRC oversight committee in 2007,<sup>93</sup> and its first under the Optional Protocol on child trafficking in 2009.<sup>94</sup>



SDG 4.1, SDG 4.6, SDG 4.7 SDG 4.a, SDG 4.b.



International Agreement. Canada is a Party.

### *Convention on the Protection of the Rights of All Migrant Workers and Members of the Families*



Equal access to education for children of workers who find themselves outside of their State of nationality

The phenomenon of migrant workers is not new in the international context, however in recent years the complexity of immigration issues and the potential for discrimination against them and their families led to the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of the Families.<sup>95</sup> Included in this Convention are provisions requiring equality of access to education systems from pre-school onward for children of migrant workers who find themselves outside of their State of nationality as a result of their parents' employment.<sup>96</sup> Additionally, the requirement that non-citizen children be accorded the same access to educational systems as nationals of the State in which they are located is an essential element of the Convention Relating to the Status of Stateless Persons.<sup>97</sup> These terms reflect critical links between the Convention and the SDGs, particularly targets 4.1, 4.2, 4.3 and 4.4.

### Relevance for Canada

While Canada is not a Party, temporary work permits totalled 79,055 in 2017, and greater emphasis is being placed on the protection the rights of temporary and migrant workers.<sup>98</sup> Legislative and policy efforts are being made at the federal, provincial, and territorial levels to further efforts amid calls by civil society for greater international and national reforms.<sup>99</sup>

<sup>93</sup> Canada, Canada's Third and Fourth Reports on the Convention on the Rights of the Child, (Covering the period January 1998 – December 2007), (2007), online: <[www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/conv\\_relative\\_enfant-conv\\_rights\\_child-eng.pdf](http://www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/conv_relative_enfant-conv_rights_child-eng.pdf)>.

<sup>94</sup> Canada, First Report of Canada on the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2009), online: <[www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/protocole\\_facul\\_enfant-opt\\_protocol\\_child-eng.pdf](http://www.canada.ca/content/dam/pch/documents/services/canada-United-nations-system/reports-united-nations-treaties/protocole_facul_enfant-opt_protocol_child-eng.pdf)>.


<sup>95</sup> Convention on the Protection of the Rights of All Migrant Workers and Members of the Families, 1 July 2003, A/RES/45/158.

<sup>96</sup> *Ibid.* at 29, 30.

<sup>97</sup> Convention Relating to the Status of Stateless Persons, 6 June 1960, UNTS vol. 360 p. 117, art. 22.

<sup>98</sup> Canadian Council for Refugees, "Evaluating Migrant Workers Rights in Canada 2018, (May 2018), at 5, online: <[https://ccrweb.ca/sites/ccrweb.ca/files/reportcards\\_complete\\_en.pdf](https://ccrweb.ca/sites/ccrweb.ca/files/reportcards_complete_en.pdf)>.

<sup>99</sup> *Ibid.*

 SDG 4.1, SDG 4.2, SDG 4.3, SDG 4.4.

 International Agreement. Canada is not a Party.

### *Convention on the Elimination of all Forms of Discrimination Against Women* Equal access to educational and vocational institutions for women

The Convention on the Elimination of all Forms of Discrimination Against Women notes the importance of education for women and girl children, particularly in terms of equality of access to education and vocational training, equality of educational programming and quality, use of education as a tool against gender bias and stereotyping, and access to literacy programmes for women of all ages.<sup>100</sup> These provisions directly support SDG targets 4.1, 4.3, 4.5 and 4.6 as part of the essential elements of one of the most highly regarded international human rights treaties.

#### Relevance for Canada

Canada has a long history of working to eliminate gender disparities. In 2015 Canada submitted its Ninth Report to the Convention to the oversight committee, receiving and replying to comments over 2016.<sup>101</sup>

 SDG 4.1, SDG 4.3, SDG 4.5, SDG 4.6.

 International Agreement. Canada is a Party.

### *United Nations Framework Convention on Climate Change (UNFCCC) / Paris Agreement* International agreement for governance of climate change

In order to ensure that all members of society understand the importance of climate change and its impacts at the international, national and local levels, the United Nations Framework Convention on Climate Change (UNFCCC) requires State Parties to provide information and education on these topics.<sup>102</sup> An additional component of the UNFCCC educational system is the creation and implementation of trainings in climate change and associated issues for everyone from students to policy makers.<sup>103</sup> In the context of promoting and encouraging capacity-building to combat

<sup>100</sup> Convention Relating to the Status of Stateless Persons, 3 September 1981, UNTS vol. 1249 p. 13, art. 10.

<sup>101</sup> Committee on the Elimination of Discrimination against Women, Eighth and ninth periodic reports of States parties due in 2014 Canada (28 April 2015), CEDAW/C/CAN/8-9; Committee on the Elimination of Discrimination against Women, List of issues and questions in relation to the combined eighth and ninth periodic reports of Canada (26 September 2016), CEDAW/C/CAN/Q/8-9/Add.1.

<sup>102</sup> United Nations Framework Convention on Climate Change, 20 January 1994, UNTS vol. 1771, p. 107, art. 4(1)(i).

<sup>103</sup> *Ibid.* at art. 6.

climate change impacts and plan for adaptation as a result of them, the Paris Agreement on Climate Change – part of the UNFCCC system – enshrines the importance of education.<sup>104</sup>

To supplement this requirement, the Paris Rulebook, enacted during the UNFCCC Conference of the Parties 24 in Katowice, Poland in 2018, requires that State Parties include chapters dedicated to climate change related education, training and capacity-building activities in their mandated National Action Plan reporting submissions.<sup>105</sup> The Paris Rulebook also urges State Parties to ensure gender mainstreaming in climate change education and outreach at the national level, and that disadvantaged and under-represented members of society be included in planning and implementation of climate change related educational and training systems. Taken together, the provisions of the UNFCCC, Paris Agreement and Paris Rulebook support SDG target 4.7. Similar provisions regarding equality of access and content of information relating to environmental issues can be found in the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,<sup>106</sup> and Convention on Biological Diversity and Protocols.<sup>107</sup>

### Relevance for Canada

Education plays a key role in climate adaptation and mitigation across all levels. In addition public access to information on climate change plans, practices, and programs at the domestic level, to supplement the robust reporting framework under the PAWP allows for greater understanding of entry points, and



**SDG 4.7.**



**Multilateral Environmental Agreement. Canada is a Party.**

### *World Declaration on Education for All* Aspirational framework for educational equality

Other instruments, such as the World Declaration on Education for All,<sup>108</sup> provide further context, and collaborations undertaken in the context of the UDHR might easily be directed to support the implementation of SDG 4. This will be important for the achievement of SDG 4 and its commitment to education for sustainable development, but is also directly relevant for the environmental pillar, as in many countries environmental education could provide the foundation for more environmentally aware citizens, leading to better implementation of environmental laws and policies, and more effective public involvement in monitoring compliance on the ground.

### Relevance for Canada

<sup>104</sup> Paris Agreement, 12 December 2015, UNTS No. 54113, arts. 11(1), 12.

<sup>105</sup> UNFCCC, Decision 1/CP.24 "Preparations for the implementation of the Paris Agreement and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement" Report of the Conference of the Parties on its twenty-fourth session, held in Katowice from 2 to 15 December 2018, (19 March 2019), FCCC/CP/2018/10/Add.1.

<sup>106</sup> United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 26 December 1996, UNTS No. 33480, art. 19.

<sup>107</sup> Convention on Biological Diversity, 5 June 1992, UNTS vol. 1760, p. 69, arts. 3, 12.

<sup>108</sup> World Declaration on Education for All, Adopted by World Conference on Education for All (1990).

Canada places significant emphasis on quality education and participated in the UNESCO Ninth Consultation of Member States on the Implementation of the Convention and Recommendation against Discrimination in Education in 2018.<sup>109</sup>



**SDG 4.1, SDG 4.3, SDG 4.5, SDG 4.6.**



**United Nations Declaration. Canada supported.**

**Table 2: International Agreements and the SDGs**

<i>Agreement</i>	<i>Focus</i>	<i>Link to SDG and target</i>
Universal Declaration on Human Rights (UDHR)	Early recognition of education as an essential right	<b>Goal 4, targets 4.1, 4.2, 4.3, 4.4., 4.5, 4.6, 4.7</b>
Economic, Social and Cultural Rights (ICESCR)	Framework agreement on economic, social and cultural rights	<b>Goal 4, targets 4.1, 4.2, 4.3, 4.4., 4.5, 4.6, 4.7.</b>
Civil and Political Rights (ICCPR)	Framework agreement on civil and political rights	<b>Goal 4, targets 4.5</b>
Persons with Disabilities (CRPD)	Recognition and protections for the special needs of those with disabilities	<b>Goal 4, targets 4.1, 4.5</b>
ILO 169	Provides for consultations and direct involvement in educational framework	<b>Goal 4, targets 4.1, 4.5, 4.7,</b>
Convention on the Rights of the Child (UNCRC)	Provides a foundation for promotion of strong educational institutions	<b>Goal 4, targets 4.1, 4.6, 4.7, 4.a, 4.b.</b>
Protection of Migrant Workers	Equal access to education for children of workers who find themselves outside of their State of nationality	<b>Goal 4, targets 4.1, 4.2, 4.3, 4.4.</b>
Discrimination Against Women	Equal access to educational and vocational institutions for women	<b>Goal 4, targets 4.1, 4.3, 4.5, 4.6.</b>
UNFCCC / Paris Agreement	Covered agreements of the WTO and programs of work facilitate multilateral trade	<b>Goal 4, targets 4.7</b>
World Declaration on Education for All	Aspirational framework for educational equality	<b>Goal 4, targets 4.1, 4.3, 4.5, 4.6.</b>

## IV. Legal Preparedness for Achieving SDG 4 with Canadians

SDG 4 on Education builds on the accomplishments of the MDGs and the Education For All (EFA) efforts under UNESCO<sup>110</sup> and highlights the need to take a holistic approach to education, focusing not just on primary schooling, but on life-long learning. The adoption of SDG 4 to ensure inclusive

<sup>109</sup> CCME 2018, *supra* note 18.

<sup>110</sup> UNESCO, "Education for All Movement," online: <[www.unesco.org/new/en/education/themes/leading-the-international-agenda/education-for-all/](http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/education-for-all/)>.

and equitable education advances and promotes the implementation of States' existing obligations under major international human rights treaties. These treaties range from some of the oldest and most uniformly recognized human rights treaties – such as the ICESCR, ICCPR, CEDAW, the Convention on the Elimination of all Forms of Discrimination, and the UNCRC – to bedrock environmental treaties and emerging implementation regimes – such as those associated with the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity – and many other areas in between.

To strengthen and secure success of efforts, a human-rights based approach must be applied to the implementation of this goal. Such an approach encompasses the principles of equality, participation, transparency and accountability in all actions taken, and ensures that progress is spread across all members of society, so that no-one is left behind. At the same time, it must be recognized that a variety of other international, national and local legal and policy areas are implicated in the application and achievement of SDG 4 and associated targets.

Integration of the SDGs into policy planning is beneficial at all levels of government. Legal preparedness for achieving SDG 4 follows a stepwise approach of adoption, consultation, implementation, and refinement.

1. **Policy formulation and outline:** Begin by adopting SDG 4 and the relevant targets and establishing a commitment for development, implementation, and refinement based on a clear timeline and metrics. This often consists of a policy statement and high-level targets such as a designated percentage of protected areas by 2030.
2. **Legal preparedness assessment:** Take stock of law and governance instruments in place within and/or applicable to the jurisdiction and identify those that support the designated objective.
3. **Prioritize policy initiatives and reforms:** Engage with relevant stakeholders – governmental, civil society, and aboriginal – to consult on prioritization of relevant programs, initiatives, and reforms. Through consultations the relevant aspects of the SDG target may be contextualized and informed by local stakeholder considerations.
4. **Legal action plan:** Identified priorities should be outlined in a formal action plan with established milestones and metrics, as well as appropriate financial resources to support the initiatives.
5. **Monitoring and refinement:** Legal and policy reform would benefit from a learning-by-doing model informed by iterative reporting and refinement. Established reporting requirements should continue to inform fine-tuning of initiative to broaden implementation.

Canada provides a critical example of a State in which many laws and regulatory frameworks supporting the terms and requirements of SDG 4 are already in existence. These laws and rules reflect the unique cultural heritage of Canada and Canadians by providing for educational programming in English, French and, often, indigenous languages, and seek to ensure the inclusion of students in rural areas and other areas in which physical attendance at schools is difficult. At the same time, Canadian national and provincial laws establish training requirements for teachers at all levels of education in order to advance the experiences of these teachers and their students. By placing an emphasis on literacy and vocational training access throughout the provinces and the nation, the laws of Canada provide for lifelong access to education and to the skills necessary for individuals to fully participate in society. The importance of its inclusion in the SDGs, as both a cross-cutting issue and as an explicit goal, is undeniable. All areas of environmental law, governance and



policy, drawing on mechanisms found in many different international human rights and other treaties, can contribute towards and benefit from its implementation.

## V. Recommended Resources

### Books:

Sumudu Atapattu, ed., *Human Rights Approaches to Climate Change: Challenges and Opportunities* (Cambridge: Cambridge University Press, 2016).

Marie-Claire Cordonier Segger, HE C.G. Weeramantry, eds., *Sustainable Development in International Courts and Tribunals* (Routledge, 2017).

Marie-Claire Cordonier Segger, Frédéric Perron-Welch, Christine Frison eds., *Legal Aspects of Implementing the Cartagena Protocol on Biosafety* (Cambridge: Cambridge University Press, 2013).

Marie-Claire Cordonier Segger, Markus Gehring and A. Newcombe, eds., *Sustainable Development in World Investment Law* (The Hague: Kluwer Law International, 2010).

Marie-Claire Cordonier Segger and Ashfaq Khalfan, *Sustainable Development Law: Principles, Practices and Prospects* (Oxford: Oxford University Press, 2004).

Marie-Claire Cordonier Segger and Judge C.G. Weeramantry, eds., *Sustainable Justice: Integrating Environmental, Social and Economic Law* (Leiden: Martinus Nijhoff, 2004).

Claire Fenton-Glynn, ed., *Children's Rights and Sustainable Development: Interpreting the UNCRC for Future Generations* (Cambridge: Cambridge University Press, 2019).

Alexandra Harrington, *International Organizations and the Law* (Routledge, 2018).

Hoi Kong, L. Kinvin Wroth, eds. *NAFTA and Sustainable Development: The History, Experience and Prospects For Implementation* (Cambridge: Cambridge University Press, 2015).

Armand L.C. de Mestral, P. Paul Fitzgerald & Tanveer Ahmad, eds., *Sustainable Development, International Aviation, and Treaty Implementation* (Cambridge: Cambridge University Press, 2018).

Michel Morin, Marie-Claire Cordonier Segger, Fabien Gelin, and, Markus Gehring, *Responsibility, Fraternity and Sustainability in Law: In Memory of the Hon Charles Doherty Gonthier* (LexisNexis, 2012).

Chidi Oguamanam ed., *Genetic Resources, Justice and Reconciliation: Canada and Global Access and Benefit Sharing* (Cambridge: Cambridge University Press, 2018).

Stavros Tasiopoulos, *Climate Change & International Energy Law: Renewable energy as a necessary legal instrument* (Oxford: Oxford University Press, 2018).

### Articles and Reports:



Sumudu Atapattu & Sean S. Fraser, “SDG 1 on Ending Poverty in all its Forms: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Stuart Bruce & Sean Stephenson, “SDG 7 on Sustainable Energy for All: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Jorge Cabrera, Frédéric Perron-Welch & Balakrishna Pisupati, “SDG 15 on Terrestrial Ecosystems and Biodiversity: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Marie-Claire Cordonier Segger, “Advancing the Paris Agreement on Climate Change for Sustainable Development” *Cambridge Journal of International and Comparative Law* 2016 Vol 5:2, 38.

Marie-Claire Cordonier Segger, “Sustainable Development through the 2015 Paris Agreement” *Canadian International Lawyer* 2017 Vol 11:2, 155.

Marie-Claire Cordonier Segger, Freedom-Kai Phillips, “Indigenous Traditional Knowledge for Sustainable Development: The Biodiversity Convention and Plant Treaty Regimes” *Journal of Forest Research* (2015) 20:5, 430.

Claire Fenton-Glynn & Pamela Sambo, “SDG 4 on Ensuring Inclusive and Equitable Quality Education: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Markus Gehring, Sean. Stephenson & Marie-Claire Cordonier Segger, “Sustainability Impact Assessments as Inputs and as Interpretative Aids in International Investment Law” *Journal of World Investment and Trade* 2017 Vol 17, 130.

Markus Gehring, Freedom-Kai Phillips & William B. Shipley, “SDG 12 on Ensuring Sustainable Consumption and Production Patterns: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Alexandra Harrington & William B. Shipley, “SDG 5 on Gender Equality: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Konstantia Koutouki & Freedom-Kai Phillips, “SDG 14 on Ensuring Conservation and Sustainable Use of Oceans and Marine Resources: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Katherine Lofts, Sharawat Shamin, Sharaban Tahura Zaman & Robert Kibugi, “SDG 13 on Taking Action on Climate Change and its Impacts: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Freedom-Kai Phillips, “Intellectual Property Rights in Traditional Knowledge: Enabler of Sustainable Development,” *Utrecht Journal of International and European Law* (2016) 32(83), pp. 1–18.

Freedom-Kai Phillips, Cameron A. Miles, Ashfaq Khalfan, & Maria Lechner Reynal, “SDG 6 on Ensuring Water and Sanitation for All: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

Maya Prabhu, Stephanie Blakely, “SDG 3 on Ensuring Healthy Lives and Promoting Well-Being for All at All Ages: Contributions of International Law, Policy and Governance,” Issue Brief 2016 (CISDL-UNEP).

**Web Resources:**

Centre for International Sustainable Development Law (CISDL), online: <[www.cisd.org](http://www.cisd.org)>.

International Law Association (ISA), online: <<http://www.ila-hq.org/>>.

International Law Association Canada (ISA Canada), online: <<http://ila-canada.ca/>>.

Sustainable Development Solutions Network (SDSN), online: <<http://unsdsn.org/>>.

World Commission on Environmental Law (IUCN-WECL), online: <[www.iucn.org/commissions/world-commission-environmental-law](http://www.iucn.org/commissions/world-commission-environmental-law)>.

IUCN Academy of Environmental Law (IUCN-AEL), online: <[www.iucnael.org/en/](http://www.iucnael.org/en/)>.

# Annex I: Domestic Legal Instruments: Overview Table

## Federal

*Canadian Charter of Rights and Freedoms*, s 8, Part 1 of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.

*Federal-Provincial Fiscal Arrangements Act*, SC 1972, c 8.

*Canada Student Financial Assistance Act*, SC 1994, c 28.

*Canada Education Savings Act*, SC 2004, c 26.

Canada Tax Act, R.S.C., 1985, c. 1.

*Loi sur l'accord en matière d'éducation conclu avec la Nation des Anishinabes*, LC 2017, c 32

## Provincial / Territorial

### **SDG 4.1**

*School Act*, RSBC 1996, c 412.

### **SDG 4.2**

*Education Act*, R.S.O. 1990, c. E.2.

*The Education Act*, SS 1995, c E0.2, Sec 43.

*Consolidation of Inclusive Education Regulations, Nunavut Reg (NU) 017/2011.*

*Child Care and Early Years Act*, SO 2014, c 11, Sched. 1, Sec 1.

*Early Childhood Educators Act*, SO 2007, c 7, Sched. 8.

*Loi modifiant la Loi sur l'instruction publique concernant certains services éducatifs aux élèves vivant en milieu défavorisé et âgés de quatre ans*, LQ 2013, c 14.

Prince Edward Island, New Early Learning and Child Care Investments: PEI Action Plan, 2017, online: <[www.princeedwardisland.ca/sites/default/files/publications/peiearlylearningactionplan\\_web\\_2017.pdf](http://www.princeedwardisland.ca/sites/default/files/publications/peiearlylearningactionplan_web_2017.pdf)>.

New Brunswick, "Everyone at their Best... from the Start: Early Learning and Child Care Action Plan" Department of Education and Early Childhood Development (2016), online: <[www2.gnb.ca/content/dam/gnb/Departments/eo-bce/Promo/early\\_childhood/early\\_learning\\_childcare\\_actionplan.pdf](http://www2.gnb.ca/content/dam/gnb/Departments/eo-bce/Promo/early_childhood/early_learning_childcare_actionplan.pdf)>.

**SDG 4.3 / SDG 4.4**

*Ontario College of Teachers Act*, SO 1996, c 12.

*Trade Schools Regulation Act*, RSY 2002, c 221.

*Education Act* MO 1990/03, Attendance Areas Regulation, Schedule A.

*Education Act* MO 1990/03.

*Student Financial Assistance Act*, SY 2016, c 9.

*Universities and Degree Granting Institutions Act*, SNU 2008, c 15.

**SDG 4.5 / SDG 4.6**

*Consolidation of French First Language Education Regulations*, NWT Reg (NU) 166/1996.

*The Francophone Community Enhancement and Support Act*, C.C.S.M. c. F157.

*Université de Saint-Boniface*, CCSM c U50.

**SDG 4.7 / SDG 4.b**

*Saskatchewan Human Rights Code*, SS 2018, c S24.2.

*Loi sur le développement durable*, RLRQ c D-8.1.1.

*Loi visant à prévenir et à combattre l'intimidation et la violence à l'école*, LQ 2012, c 19.

*Official Languages Act*, RSNWT 1988, cO-1.

*Official Languages Act*, S.Nu. 2008,c.10.

**SDG 4.a / SDG 4.c**

*The Libraries Co-operation Act*, SS 1996, c L14.01.

*The Manitoba Teachers' Society Act*, SM 2016, c 4.

## Annex II: About the Project

The Sustainable Development Goals (SDGs) offer Canada a unique opportunity to assess the many areas of policy innovation in which it is already excelling at the national and provincial levels, as well as to craft new, durable implementation mechanisms that will benefit Canadians and the international community now and in the future. As Canada embarks on the development of its National Strategy on the SDGs, this is a critical moment for analysis of existing laws and dialogue regarding new legal and societal avenues reflecting the SDGs.

Through “The Sustainable Development Goals for Canada: What’s Law Got to Do with It?” conference, the Centre for International Sustainable Development Law (CISDL) and its partners, along with the Sustainable Development Goals Unit at Employment and Social Development Canada and Justice Canada, engaged in a vital dialogue on the SDGs broadly, and specifically SDGs 4 (quality education), 7 (affordable and clean energy), 13 (climate action), 14 (life below water), 15 (life on land) and 16 (peace, justice and strong institutions). Overall, the SDGs are an indivisible construct of Agenda 2030, however these particular SDGs were chosen for focus at this conference because they relate to climate change, biodiversity, education and institution building, which together form the foundation of systems and issues that must be analyzed and established in order to meaningfully achieve the SDGs in Canada. This event convened local, regional and national stakeholders, academics, policy makers, lawyers and legal experts located at four sites around the country – Waterloo, Montreal, Halifax and Victoria – through a virtual meeting platform. Additionally, governmental officials and other experts not present in these locations were able to join through the virtual meeting system, allowing for further diversity in perspectives and insights.

In addition to the conference, a set of 5 SDG focused Issue Briefs have been published by the CISDL and are being shared across a number of national and international networks in order to reach a large audience of stakeholders and interested member of the public. The findings of the conference and research conducted in conjunction with it also serve as the basis for a series of new modules on the SDGs that will be offered as part of the CISDL’s Continuing Legal Education (CLE) course for members of bars across Canada. In the approximately 2 months since these new modules were announced, registrations for the CLE course has more than quintupled, indicating a strong interest in these topics among those in the legal and policy fields throughout Canada.

As noted in the conference keynote address by Ms. Janet McIntyre, Deputy Director General, Intergovernmental and External Relations Division, Justice Canada, “when Canada submitted its National Voluntary Review last year before the United Nations, Canada recognized that the 2030 Agenda for Sustainable Development is among the defining global frameworks of our time. And further, the Government of Canada strongly supports the overarching principle of the 2030 Agenda, to leave no one behind. Canada is a staunch supporter of SDG 16 and its inclusion in the 2030 Agenda marked a milestone.” These words highlight the importance of the SDGs to Canada and the need to understand the place they currently occupy in existing Canadian national and provincial law as well as the areas in which Canada can create new laws and policies that will ensure the inclusion of Canadians and serve as an example to the international community.





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