

FOSTERING SUSTAINABLE DEVELOPMENT THROUGH CHILD EDUCATION RIGHTS: AN IN-DEPTH ANALYSIS OF NIGERIA'S LEGAL FRAMEWORKS

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Abstract

Introduction: This article delves into the role that education, for children plays in advancing development within the legal framework of Nigeria. **Objectives:** The study aims to achieve four objectives. Firstly will evaluate the framework governing the rights to education for children. Secondly, we. Examine challenges and obstacles in effectively implementing these rights. Thirdly we explore the connection between quality education and sustainable development. Lastly we provide recommendations to enhance and reinforce the rights to education for children. **Methodology:** Through an analysis from a standpoint, we thoroughly reviewed international human rights instruments, national legislation and policy documents pertaining to child education in Nigeria. Additionally case studies were reviewed to assess how these rights are practically implemented. **Findings:** While Nigeria's legal framework regarding child education demonstrates alignment with standards there are still challenges such as inadequate infrastructure, gender disparities and limited resources. It is crucial to recognize that quality education for children is closely intertwined with development across domains including economic growth, social equity and environmental conservation. Our recommendations emphasize policy reforms as increased allocation of resources while stressing on all-encompassing inclusive policies and community engagement as vital strategies towards strengthening child education rights and furthering sustainable development in Nigeria.

Keywords: Children's Rights, Education, Legal Frameworks, Nigeria, Sustainable Development Goals.

1. INTRODUCTION

Investing in child education is a fundamental right. Everyone everywhere has the same right because of "common humanity". All humans are equally entitled to their human rights without discrimination including children (Adiela & Achinewhu, 2021). These rights are interrelated, interdependent and indivisible including the right to sustainable education (Babalola & Olawuyi, 2021; Do et al., 2020; Oby et al., 2018) for children. Numerous conventions and regulations have defined a child to be a person or human being below the age of 18 years (Achinewhu, 2020; CRA, 2003; van IJzendoorn et al., 2020). Every human being that has not attained the age of 18 years, is still regarded as a child, and covered under international, regional and domestic regulations, for the safeguard of his life and wellbeing without discrimination. Human rights on the other hand provides the principles for the acknowledgement of the value of human beings. Human rights regulates the lives of persons in the society, providing responsibilities as a rider to those rights for

peaceful coexistence (Roopnarine et al., 2018). This rights are not dependent on any special features, but the fact that “someone” is a human being (Adepeju, 2017; May & Daly, 2019). Education is a method of acquisition of information via research or transmission of knowledge through directives, tutorials, or other techniques (Adiela & Achinewhu, 2021).

Education is the acquisition of ideas, knowledge and skills for an improved life and developed society which can be formal or informal (Adiela & Achinewhu, 2021). It is formal when it involves classroom experience such as primary, secondary, and tertiary institutions. It is informal when it does not involve, deliberate act and process of formal education (Do et al., 2020; Samuelsson & Park, 2017).

Including transfer of skills and knowledge through other means other than formal learning using curriculum (Samuelsson & Park, 2017). Therefore, the right to education is a universal human right, and for children also (Quennerstedt, 2022; Spiteri, 2022). It is essential that all children, regardless of their background or circumstances, to have access to quality education that prepares them for a sustainable future. Education is key to a sustainable, successful, productive and reliable society.

Investing in children’s education especially the girl child and those with disability transforms communities, countries and the world at large (Adiela & Achinewhu, 2021; Ferguson, 2021). For instance, girl child education leads to a healthy and productive life that is sustainable and addressees the problem of early marriage (Petroni et al., 2017). It improves her income level, helps her to participate in decision making in the society (Llados-Masllorens & Ruiz-Dotras, 2022), and also help build a better future for herself and her family (Folayan et al., 2020).

Hence, child’s education strengthens economies, reducing inequality and ensures a stable and resilient society that is sustainable, because new ideas are developed, and more advances is made in technology with passage of time. Therefore, education is a key tool for achieving a more sustainable and equitable world. The legal framework on child education for sustainability in Nigeria, encompasses international, regional and legal frameworks.

2. GLOBAL STANDARDS FOR CHILD RIGHTS AND EDUCATION

The United Nations set a common standard on human rights adopted in 1948 as the UNDHR. Though not binding but the convention has received wide recognition, adoption, and enforcement across the globe. The convention stresses the fundamental principle that all human beings should be treated with respect and equality irrespective of colour, race, and place of residence, age, nationality or ethnic origin, language, religion or other status (Akturer, 2023; UNESCO, 2015, 2019). Presupposing that humanity deserves protection, respect and dignity and nothing else matters. Being a child, is not in any way an inferior status because being human has made all status equal. To buttress the importance of the right of a child as a human right concern, subsequent conventions were adopted by the United Nations which include amongst others, Convention on the Rights

of a Child (CRC), International convention on Civil and Political Rights (ICCPR), ICESCR, Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), International Convention on the Elimination of All Forms of Racial Discrimination, CEDAW, Convention on the Rights of Persons with Disabilities, International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and International Convention for the Protection of all Persons from Enforced Disappearance (Adiela & Achinewhu, 2021; Faga, 2018; Oni, 2022; Tagi, 2018). As well as the United Nations Sustainable Development Goals (SDGs), particularly goals 4 (quality education) (SDG, 2019; UNESCO, 2019) and goal 13 (climate action) (Do et al., 2020; SDG, 2019), emphasised the importance of education for sustainability. These international conventions and treaties are described adequately in Table 1 below.

Regional Legal Framework

At the regional level, Nigeria has signed and ratified the African Charter on Human and People's Rights and the African Charter on the Right's and Welfare of the Child. These Conventions emphasized the right to education of a child as a fundamental right as detailed in Table 2 below. For instance, the African Charter on the Right's and Welfare of the Child incorporated into the Child's Right Act 2003, took cognisance of the unique features and factors of the African countries, including socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, and exploitation. As well as hunger, special care, safeguard and protection for children's physical and mental immaturity (Addaney & Azubike, 2017; CRA, 2003; Taiwo Akinlami, 2013).

National Legal Framework

In Nigeria, the right to education is so important that it was included in the 1999 Constitution under Chapter II and recognized under the Child Rights Act 2003, as well as specifically provided under the Compulsory Universal Basic Education Act 2004 (see Table 3 below for details). However, the provision restricts the right to education from being a fundamental right imposing obligation on the state government to act in ensuring the enjoyment of that right, to a derivative right (Constitution of the Federal Republic of Nigeria, 1999). Hence, right to education is placed as a derivative principle of state policy.

Reducing the importance of the right child education from a fundamental right to a privilege. Which is against or at par with Nigeria's obligations under the signed and ratified treaties like UNDHR, ICCPR, ICESCR, CRC, SDGs and others. This restriction hinders the attainment of the right to education for children for sustainability. Such that those who have the privilege to have a formal education do not enjoy quality education that produce in them critical skills that is capable to addressing complex situation to sustain the country.

For the reason that, education is not prioritized in Nigeria, as such holistic education that encompasses all the aspect of sustainability is lacking in the educational system. Similarly, teachers lack the requisite knowledge and skills to effectively impact sustainable values and cultural practices for sustainable education on the children.

Table 1: International Legal Framework

Statute/Law (International)	Content	Comments	Sources
The Universal Declaration on Human Rights (UNDHR)	Article 26 of the UNDHR makes provision for free education at elementary and fundamental stages as a right. As well as equitable access to technical and professional education for all, based on merit	Though not a binding regulation, but pivotal in universalizing the importance of children’s access to basic education. Elementary education was subsequently referred to as “primary” and “basic” education. Being a fundamental human right, states are obliged to guarantee, protect and provide free and compulsory elementary education for children	(Adiela & Achinewhu, 2021; Achinewhu, 2020; Assembly, 2007; Do et al., 2020; UNESCO, 2019)
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Article 13(1) recognized education as a key to human development. Article 13(2) oblige member states to make primary education compulsory and free and secondary education, generally available and accessible While Articles 13(3) & (4) provides the minimum educational standard sets by the state has been fulfilled in those institutions of learning, qualifies as a formal education	Member states as a means of safeguarding human right and the attainment of freedoms should direct education to ensure full development of human personality and sense of dignity. As such, it is important to promote understanding, tolerance, and friendship amongst all nations irrespective of racial, ethnic or religious affiliation, to achieve a free society. The convention gave parents the option to choose the type of school including moral and religious education for their children	(Eniola, 2018; Tagi, 2018; ICESCR, 1966).
UNESCO Convention against Discrimination in Education Adopted in 1960	The convention obliged member states to uphold and protect the right to basic education. It also added the need for equality regarding access to compulsory and free education in Article 4(a)	This is the first international convention on education and the cornerstone to education agenda. Member states are obliged to ensure equality, as such, there should be no direct or indirect discrimination against children in matters of access to quality, free and compulsory basic education.	(Achinewhu, 2020; Akturer, 2023; Ekhator, 2015; Roopnarine et al., 2018; UNESCO, 1960)
United Nation Convention on	Articles 28 and 30 of the convention are dedicated to child education	CRC is the most specific, widely ratified, and acceptable international legal	(Tajudeen Ojo Ibraheem, 2015; CRC, 1989;

<p>the Rights of the Child (CRC) (1989)</p>	<p>Article 28 reiterates the need to recognize the right to child education as a fundamental human right and to respect, protect, and provide free and compulsory primary education, as well as establish an accessible secondary educational system</p>	<p>instrument on the right to child education, adopted after the previous international regulations. It is also one of the best and most comprehensive conventions on right to child education. Nigeria adopted and enacted it as the Child Rights Act 2003</p>	<p>Achinewhu, 2020; Kovaleva et al., 2022)</p>
<p>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</p>	<p>Article 10 oblige state parties to take appropriate measures to eliminate discrimination by guaranteeing equal access to education for women and women, including children of both sexes. As well as equal conditions for career and vocational guidance, including pre-school, general, technical, professional, higher technical education, and all types of vocational training.</p>	<p>Although the convention primarily focuses on the rights of women and girls, however, it indirectly supports and reinforces the right to child education by promoting gender equality and non-discrimination in education. Such that, equality must be seen in career development and curriculum development. As well as same examination, teaching staff with qualifications of the same standards and school premises and equipment of the same quality. Additionally, scholarships and study grants should be available to breach the gap in education between sexes, reduce the rate of female dropouts from schools, and equal opportunities to participate in sports and physical education.</p>	<p>(Oluwayemii, 2018; Tajudeen Ojo Ibraheem, 2015; Vithanage, 2021)</p>
<p>Sustainable Development Goals (SDGs) 2030</p>	<p>Goals 4 and 13 are the two SGDs that relate to the right to education for children and the environment. SGD 4 relates to quality education. The goal is to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” including children. While the target is to ensure that by 2030, all boys and girls have access to quality early childhood development, care, and pre-primary education so that they are ready for primary education.</p>	<p>SGD 4 closely aligns with the right to education of children similar to another international legal instrument. With a focus on ensuring access to quality education, emphasizing inclusivity and equity. The aim is to eliminate disparities in access to education and outcomes, especially for marginalized and vulnerable groups, and to ensure that all children can exercise their rights to education. SGD 13, while not primarily focused on education, recognizes the importance of</p>	<p>(Do et al., 2020; UNESCO, 2019; SDG, 2019; Vithanage, 2021; Årlemalm-Hagsér & Elliott, 2017; Roopnarine et al., 2018; Ashida, 2023; Suriyankietkaew & Nimsai, 2021).</p>

	<p>Which is free, equitable, and of quality and secondary education that is essential for their personal and societal development.</p> <p>SDG 13 deals with climate action and the goal is to “take urgent action to combat climate change and its impact”. While the target addresses the need to strengthen resilience and adaptive capacity to climate-related hazards and cultural disasters, and integrate climate change measures into national policies, and promote education, awareness, and capacity on climate change mitigation, adaptation, impact reduction, and early warning.</p>	<p>education and awareness in addressing climate change.</p> <p>It acknowledges that quality education can empower individuals, including children, to understand climate change challenges and engage in actions that contribute to its mitigation and adaptation.</p> <p>The link between SDGs 4 and 13 lies in the role of education in building awareness, knowledge, and skills needed to address climate change.</p>	
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Table 2: Regional Legal Framework

Statute/Law (Regional)	Content	Comments	Sources
<p>The African Charter on Human and Peoples Rights 1981</p> <p>Adopted at the 18th conference of Heads of States and Government of OAU, Nairobi, Kenya on 27th June 1981. Entered into force on 27th October 1987</p>	<p>Article 17 provides that every individual shall have the right to education.</p>	<p>Nigeria domesticated it as the African Charter Act 2004. The right to education of children to be free and compulsorily in Nigerian was reinforced in the case of <i>SERAP v Federal Government of Nigeria & UBEC</i>.¹</p> <p>However, the provision of the Act lack enforcement mechanism provisions</p>	<p>(African Charter on Human and People's Rights, 1981)</p>
<p>African Charter on Right and Welfare of the Child 1981</p> <p>Enforced in 1999</p>	<p>Article 11 of the Charter provides that every child shall have the right to education.</p> <p>Article 11 part 5 provides that “a child who is subjected to schools or parental discipline shall be treated</p>	<p>Nigeria ratified this charter in 2001 and incorporated its provisions into the CRA 2003.</p> <p>The charter set out a much broader and more comprehensive right to education than what is provided in the African Charter on Human and Peoples' Rights.</p>	<p>(Addaney & Azubike, 2017; Nmabunwa et al., 2021; CRA, 2003; Taiwo Akinlami, 2013)</p>

	<p>with humanity and with respect for the inherent dignity of the child”² Part 6 of the same article obliged states “to ensure that children who become pregnant before completing their education shall have an opportunity to continue their education on the basis of their individual ability”</p>	<p>The Charter in its provisions on aims of education, incorporates aspects of Articles 28 and 29 of the CRC, and it prescribes measures that states must take as part of their efforts to achieve the full realization of this right. The provision of part 6, has seen wide acceptance and enforcement in many African countries such as Kenya, Zambia, Botswana, Guinea, and Malawi. These countries now permit the re-entry of girls into formal education after childbirth.</p>	
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Table 3: National Legal Framework

Statute/Law (National)	Content	Comments	Sources
<p>The Constitution of the Federal Republic of Nigeria 1999 (as amended)</p>	<p>Section 18 provides for free compulsory and universal primary education, free secondary education, free university education, and free adult literacy programs where practicable</p>	<p>Though education has been captured as free and compulsory, yet the provision is under Chapter II fundamental objectives and directive principles of state policy. Which constitutes non-justiciable rights that are unenforceable. The right is more elusive than it is realistic or realizable.</p>	<p>(Constitution of the Federal Republic of Nigeria, 1999)</p>
<p>The Child Right Act 2003</p>	<p>The Act is divided into twenty-four parts with eleven schedules. Part 1, Sections 1 and 2 provides for the best interest of the child as paramount irrespective of who the actor is, whether an individual, public or private body, institutions or court of law or administrative or legislative authority. Several rights of the child are provided under part 2 sections 3 – 20. Including the rights to survival and development, to a name, to freedom of association and peaceful assembly, to freedom of thought, conscience and religion, to private</p>	<p>The Act encompasses all rights and responsibilities relating to the child in one single piece of legislation. It specifies the duties and obligations of government, parents and other authorities, organisation, and bodies in relation to the child. The Act is modelled after the CRC and the African Union Charter on the Rights and Welfare of the Child. This Act has been domesticated by most states in Nigeria with few states yet to domesticate, paving ways to enhance the welfare and Rights of children. Ranging from enhancing the health care system, safe water, and providing a universal basic Education. However, implementation of the Act in adopting states remains low till date.</p>	<p>(CRA, 2003; Adepeju, 2017; Roopnarine et al., 2018; Shirley, Lori; Achinewhu, 2020; Adiola & Achinewhu, 2021).</p>

	<p>and family life, to freedom of movement, to freedom from discrimination, to dignity of the child, to leisure, recreation and cultural activities, to health and health care services, to parental care, protection and maintenance, to free compulsory and universal primary education, as well as encouragement of the child to attend and complete secondary education</p>		
<p>The Compulsory Free Universal Basic Education Act 2004</p>	<p>Section 2(1) & (2) provides that: "Every Government in Nigeria shall promote free, compulsory, and universal basic education for every child of primary and junior secondary school age." Similarly, Section 2(4) provides for the prosecution of any parent who contravenes the provision of the Act. But to date, no parent has been prosecuted.</p>	<p>Nigeria embarked on various basic education schemes in a bid to fulfil its international obligations on the right to education of children. The first of these schemes was the Universal Primary Education Scheme which was launched in 1976 by the Obasanjo administration. With the purpose of enhancing national socio-economic development through a free and compulsory regime of basic education as well as evidence of Nigeria's commitment to international treaties. As well as the fulfilment of the constitutional requirement on government to eradicate illiteracy under Chapter II of the Constitution. The Act makes it compulsory on the Federal, States, and Local Governments to promote and provide conducive atmosphere for the education of the child. Imposing a duty to eradicate illiteracy through the provision of free and compulsory basic education for duration of nine years: 6years in primary school, 3years in junior secondary school and another 3years in senior secondary school to every child between 6years old and 12 years old. However, there are no perimeters to measure when a state is or is not promoting education. The main problem lies in the lack of economic and enforcement machinery to ensure strict adherence to the educational objectives of the legislation.</p>	<p>(Compulsory, Free Universal Basic Education Act, 2004; Faga, 2018; Tagi, 2018; Bakare, 2018; Oni, 2022;).</p>

3. METHODOLOGY

This research adopted the qualitative legal analysis (Pagnoni, 2019) which combines both a legal historical analysis and institutionally-oriented documents (Anisimov & Gulyaeva, 2021; Karadimitriou & Pagonis, 2019). An ethical and comprehensive search on academic peer-reviewed articles and book chapters was made on the right of children to education with reference to Nigeria. Similarly, institutional instruments such as existing legislations on the right of children to education in Nigeria, international and regional conventions, and treaties signed and ratified by Nigeria on the rights of children to education were equally analysed qualitatively. Drawing on existing scholarly research, the study adopted a multi-methodological approach (Dupuy & Viñuales, 2019; Langford, 2017) where both empirical and evaluative techniques were utilized in the overall framework ascribed to interdisciplinary studies on law, politics and society (Pagnoni, 2019). Using a qualitative legal analysis, this study examined existing framework on the right to children's education for a sustainable society while delving into the multifaceted impact of child education in Nigeria.

4. FINDINGS

This is a qualitative analysis on the right to education of children in Nigeria, with emphasis on the existing legal framework. The research found the following key issues:

4.1 Challenges and Barriers to Child Education

All countries in the world have signed at least one or more of the international conventions. As such the right of a child is inevitable and should be protected across the globe. Nigeria must protect children's rights as part of her obligations to the signed and ratified conventions. In implementing the human right of the child, education is key to the economic, social, civil, and political advancement of any nation (Adiela & Achinewhu, 2021). This right to education imposes liability on governments, to ensure that all necessary resources including legal, administrative, and policy wise are in place to afford all children under its jurisdiction, the right to education without discrimination. In Nigeria, several factors have been found to constitute barriers to the enjoyment of the right to education of children, including:

Legislation

Legislation is one of the hindrances to achieving the recognition and protection of the right to education of children. While Chapter IV of the Constitutions provides for the fundamental rights of human being which are regarded as justiciable, sacred, germane and enforceable. The right to education, social, economic and cultural rights are captured in Chapter II on Fundamental objectives and directive principles of state policy which are essentially non-justiciable (Babalola & Olawuyi, 2021; Nwauche, 2015), not guaranteed, and not enforceable. They are recognized as privileges and not fundamental rights. As part of Chapter II of the 1999 Constitution, Section 18(3) provides that government shall strive to eradicate illiteracy. However, Section 6(6)(c) of the 1999 Constitution ousted the jurisdiction of the court to determine any act or omission of government relating to Chapter

II of the 1999 Constitution (Babalola & Olawuyi, 2021; Sotonye-frank, 2015). Invariably, ousting the powers of the court to question the violation of the right to education of children in Chapter II, thus making the right non-justiciable but a privilege. Similarly, the right to education is contained in the African Charter on Human and Peoples Rights (“African Charter”). Order 1 Rule 2 of the Fundamental Rights Enforcement Procedure Rules of 2009 makes rights contained in the African Charter that have been ratified pursuant to Section 12(1) of the 1999 Constitution, enforceable by the courts in Nigeria. The African Commission in *Social and Economic Rights Action Centre (SERAC) and Another v. Nigeria*³ held that Nigeria is bound by the provisions of the African Charter being a member. The African Charter has been ratified into an Act of the National Assembly as the African Charter Act (Godson, 2016), yet child education is still not a justiciable right in Nigeria.

Researchers have argued for the justiciability and otherwise of the provision of Chapter II of the 1999 Constitution (Babalola & Olawuyi, 2021; Nwauche, 2015). Yet nothing has been achieved till date in that regard. Therefore, it is right to conclude that the right to education of children has been “given with the right hand and taken back with the left hand”, akin to the government of Nigeria, blowing “hot and cold” at the same time in relation to the right to education. Therefore, education and child education in Nigeria is not a recognized, protected, and guaranteed right.

Enforcement

In Nigeria, the right to education is not recognized, guaranteed, and protected because educational laws are unenforceable. Such that, where the courts utilize judicial will to ensure the enforcement of these educational laws through affirmative judgements, those court decisions remain unenforced. For instance, in the case of *Archbishop Okogie v. Attorney General of Lagos State*⁴, the court having recognized the impracticability of enforcement of Chapter II of the 1999 Constitution on the right to education, held that Section 13 of the Constitution gives all organs of government and of all the authorities and persons, exercising legislative, executive, or judicial powers, the responsibility of conforming, observing, and applying Chapter II Constitution. Stating further that once the right has been legislated upon, it becomes enforceable. The decision was supported in a subsequent case of *Attorney General of Ondo State v. Attorney General of the Federation*⁵ where the Supreme Court held that once the Federal Government and State Government have legislated upon any matter in Chapter II, it becomes enforceable. However, despite the enactment of the Child’s Right Act 2003 and the Compulsory Free Universal Basic Education Act 2004, the right to education of children in Nigeria remains elusive. This development led other aggrieved parties to fight for the right to education at the international level against Nigeria. Such as the case of *Registered Trustee of the socio-economic Rights and Accountability Project (SERAP) v. Federal Republic of Nigeria Universal Basic Education Commission*.⁶ In that case, SERAP sued the Nigerian government at the ECOWAS court seeking redress against violation of the right to quality education, dignity, wealth and natural resources, as well as the right to economic and social development guaranteed in Articles 1, 2, 17, 21 and 22 of the African Charter on

Human and Peoples' Rights. The court while delivering judgment in favour of the Applicant, held that Nigeria has a duty to fulfil her obligation under the Charter and pronounced that Chapter II on the right to education is an enforceable right. The judgement has not been enforced because it lacks binding effect in Nigeria. More so that, there is no enforcing body that would ensure compliance with the decision of the ECOWAS court in Nigeria. Therefore, enforcing the right to education of children as a fundamental right continues to face the challenges of enforcement till date.

Government Policies

The Nigerian government policies on child education incorporate substantial aspects of sustainability, without modalities for ensuring the policies are sustainable to achieve sustainable development. The policies are made pursuant to Section 18(1) of the 1999 Constitution. These educational policies are reflective of the country's philosophy founded on the set of beliefs contained in Section 1(3) of the National Policy on Education 2013 (Babalola & Olawuyi, 2021; Nwauche, 2015), which provides that education is beneficial for development and social change, essential for a progressive and united Nigeria. It maximizes individual creative potentials and skills for self-fulfilment, besides societal development. Also, education is compulsory to every Nigerian irrespective of gender, social status, religion, ethnic background, and any peculiar individual challenges. While being qualitative, comprehensive, functional, and relevant to the needs of the society.

Similarly, section 2(11) of the National Policy on Education 2013, makes provision for basic education by establishing the UBE to be monitored and supervised by the Federal government. The UBE must ensure the development of strong consciousness for education and a strong commitment to its vigorous promotion among Nigerian citizens. Which must be free for every Nigerian child of school age, reduce through improved relevance, quality and efficiency, the incidence of children drop-out from formal school system and catering through appropriate forms of complementary approaches to the promotion of basic education to accommodate learning needs of young persons who for one reason or another have had to interrupt their schooling and to ensure the acquisition of the appropriate levels of literacy, numeracy, communicative 'arid life' skills/as well as the ethical, moral, security and civic values needed for the laying of a solid foundation for lifelong learning are effectively provided.

In this regard, the National Policy on Education 2013 categorically states in Section 12 that, 'the government guarantees provision of basic education which shall be free, compulsory, universal and qualitative. Spread across 1 year of Kindergarten; 6 years of primary; and 3 years of Junior Secondary Education' (Faga, 2018; Oni, 2022; Tagi, 2018). Furthermore, Section 13(a) of the National Policy on Education 2013 provides that, 'the goals of basic education are to provide the child with diverse basic knowledge and skills for entrepreneurs, wealth generation and educational advancement' (Compulsory, Free Universal Basic Education Act, 2004). If the policy on education aims at skills acquisition to promote entrepreneurship, successive governments at all levels could have focused on females vocational training institutions to benefit the girl-child (Babalola & Olawuyi, 2021; Faga, 2018; Tagi, 2018) or at best make provision for access to resources that

would help children that have gained some skills and have the capacity to invent things, to enhance their skills to develop the country.

Insecurity

Insecurity in Nigeria poses a serious challenge to the right to child education. Nigeria has experienced various forms of insecurity, including terrorism from the popular group known as “Boko Haram” whose agenda stands for “No to education or education is a taboo”. Others are armed conflicts, banditry, Fulani herdsmen, kidnapping, and communal clashes or violence (Bakare, 2018; Isiguzo & Ozuru, 2020). These insecurity have far-reaching consequences for children’s access to education and their ability to learn in a safe and conducive environment (Irene, 2016; Isiguzo & Ozuru, 2020). Insecure regions often face mass displacement of families, including children. This displacement disrupts their education as they are forced to leave their homes, schools, and communities for safety. Making it difficult to access consistent and quality education that has been offered as a privilege rather than a right in Nigeria.

Similarly, Boko Haram and other armed militants have targeted schools and educational institutions in Nigeria these attacks results in the destruction of school infrastructures, loss of educational materials, abduction of children leading to forced marriage for some of the young girls, sexual violence for some other girls that become the sex objects of the terrorist, and the young boys are forced to become terrorist (Bakare, 2018; Irene, 2016; Nwonu, C. O., & Oyakhiromen, 2014). In some case, some of these children who are not taken away as captives sustain injuries or even death alongside their teachers. This creates an environment of fear that deters children from attending schools. This consistent threat and insecurity has resulted in psychological trauma in children (Isiguzo & Ozuru, 2020). The fear of violence has also hinder their ability to focus on learning and as such developed absenteeism in children that deprives them of deep learning that can develop skills for sustainability. The country has witnessed the displacement of teachers from insecure areas, resulting in shortage of qualified teachers, which further impacts on children’s education. Parents and guardians have become reluctant in sending their children to school to acquire formal education for fear of their safety especially in insecure areas. This has also led to decline in school enrolment especially for girls who are most vulnerable to the negative effect of terrorism and violence.

Poverty

Poverty in Nigeria affects the right to child education especially access to quality education. Poverty often deprives families of basic necessities such as food, shelter, good drinking water, clothing, and healthcare. Many families in Nigeria struggle to meet these fundamental needs, which forces them deprioritize education. Many of these parents prefer to send their children to hawk on the street, beg or do some hard labour, while others force their girls into early marriage just to have a source of livelihood rather than attending school (Diriwari, 2022). Additionally, the available public schools are not free, parents must worry about children uniforms, PTA’s fee, and costs of transportation for those leaving far away from the public schools. These extra expenses which might be

meagre, become insurmountable for improvised families, preventing the enrolment and continuity of children in schools (Ebenezer, 2017). Especially girl child, who are asked to remain at home to help in chores, because they are better as wives in the home than out there learning (Addaney & Azubike, 2017), a form of gender disparity.

Furthermore, poverty have driven many families to rely on their children for additional income, encouraging child labour. Children have to work instead of attending schools, exposing them to exploitation, unsafe working condition and maltreatment (Do et al., 2020; Khatab et al., 2019). Many of these children become malnourished, affecting their physical and cognitive thinking, to achieve problem-solving skills. Such that for improvised communities in Nigeria, access to education is limited (Knieć & Goszczyński, 2022). The available institution is not enough to cater for the population, resulting in overcrowded classrooms, many children sitting on the floor to learn, dilapidated school environments that some learn under the tree, which becomes inconvenient for learning during raining seasons, because of the absence of roofs to shelter the classrooms. Experience has revealed forced school closure during raining seasons in many rural areas in Nigeria. Including poorly trained teachers, all constitutes barriers to quality education. Poverty has also led to high school dropouts; economic pressure has made children to prematurely leave school to help parents earn income. Unfortunately, lack of education has perpetuated the cycle of poverty in Nigeria. Children who do not receive quality education are less likely to break free from poverty in their adult lives, as they are limited in their employment opportunities. Since, they lack quality education, they are also less likely to provide quality education for their children and the cycle of poverty continues affecting a sustainable society.

Culture and societal structure

Culture and societal norms are a source of strength and identity, however, certain aspect of these structures are harmful and serve as hindrances to children's access to quality education (Odion & Eboigbe, 2018; Yalley & Olutayo, 2020). Gender roles and norms in many Nigerian cultures has resulted in disparities in education. While hawking for girl child is a norm in some parts of Northern Nigeria, girls are sent to school in some parts of the South while the boys are asked to learn a form of trade with their fathers. This may be as a result of limited awareness on the importance of education or the right for children to receive formal education in these communities (Addaney & Azubike, 2017), or due to language barrier. Nigeria is a linguistically diverse country with many indigenous languages spoken, education in local languages will be difficult, more so that foreign language – that is “English” is the language used in school. This language barrier hinders children's comprehension and retention of lessons, such that those who become discouraged because they could not cope, leave schools prematurely. In addition, child marriage is a cultural practice in the Northern part of Nigeria (Addaney & Azubike, 2017; Nwauche, 2015; Petroni et al., 2017). Girls are married off at a young age, some at 9years old to older men of ages 50 to 70years old. These girls often are forced to drop out of school, denying them the opportunity to receive proper education but rather victims of domestic violence at a tender age. Similarly, some cultural practices, such as female

genital mutilation or boys initiation ceremonies (Mpinga et al., 2016), disrupt a child's education as they are often required to take time off school to participate in these activities. Furthermore, religious beliefs and practices sometimes affect access to child education in Nigeria. In certain areas, like the Northern part of Nigeria, some religious leaders use culture and rely on religion to deprive children of quality education or in some instances promote religious schools that have a limited or biased curriculum. Hence depriving children of the right to access quality education that can sustain their communities.

Gender divide/inequality

Gender inequality in Nigeria is another significant challenge to the right to child education in Nigeria (Emmanuel Kaka, 2016; Kaka, 2015). Although there have been improvements in equality between sexes in recent years, there are still notable disparities between boys and girls in terms of access to education, retention in school, and overall quality of education (Ali et al., 2017; Isiguzo & Ozuru, 2020). In some part of the Northern Nigeria, girls are less likely to receive formal education compared to boys. Hitched on cultural and traditional beliefs that prioritize boys over girls and projects the norm that girls are best as housewives than outside the home for any vocation (Kaka et al., 2021). Other reasons include early marriage, household chores syndrome and labour, and pregnancy and motherhood. Teenage pregnancy and early motherhood disrupt girls' education in Nigeria. Pregnant girls are expelled from school, while young mothers often struggle to balance their marital responsibilities with school attendance. In some instance, the girl child faces gender-based violence and harassment in and around schools (Emmanuel Kaka et al., 2021; Ersanilli & Charsley, 2019; Onyemelukwe, 2018; World Bank, 2019), which creates an unsafe environment and hostile learning environment that hinders further pursuit of education by these abused girls.

Some teachers have implicit biases against girls consciously or unconsciously, which can result in less attention and encouragement given to girls students, and in some cases exacerbate the lack of interest of these girls in education (Lloyd, 2018; Quennerstedt, 2022). Similarly, the scarcity of female teachers and role models in schools limits girls' aspirations and hinder their motivation to excel in education. Furthermore, inadequate sanitation facilities in schools such as the absence of proper toilet facilities and hygiene products affects girls' concentration in schools because they will have to miss school during menstruation. Hence, increasing the gender gap in child education and a violation of their right to quality education for a sustained society.

Quality Education and Sustainable Development

The right to quality education for sustainability, also known as education for sustainable development (ESD), is an essential aspect of ensuring that children receive an education that equips them with the knowledge, skill, values, and attitudes necessary to contribute to sustainable future (Ärlemalm-Hagsér & Elliott, 2017). Education for sustainable development is an educational approach that addresses the social, economic, and environmental dimensions of sustainability. It aims to empower individuals including

children, to understand and actively participate in shaping a more sustainable world (Bascopé et al., 2019). ESD is globally recognized as a crucial component of achieving sustainable development. The importance of ESD has been highlighted by the UN in its SDGs, including education (SDG 4) (UNESCO, 2019), sustainability (SDG 12), and climate action (SDG 13) (Do et al., 2020). Sustainable development goals 4 and 13 are the two United Nation's goals that relate to the right to education for children and the environment as clearly described in Table 1 above.

SDG4 emphasises equal access to affordable vocational, technical, and higher education including university education (Ashida, 2023; Suriyankietkaew & Nimsai, 2021). SDG 4 focuses on ensuring access to quality education, with an emphasis on inclusivity and equity. It aims to eliminate disparities in educational access and outcomes, especially for marginalized and vulnerable groups, and to ensure that all children can exercise their right to education. On the other hand, SDG 13 on climate action while not primarily focused on education, recognizes the importance of education and awareness in addressing climate change (Vithanage, 2021). It acknowledges that quality education can empower individuals, including children, to understand climate change challenges and engage in actions that contribute to its mitigation and adaptation. Therefore, the connection between SDGs 4 and 13 lies in the role of education in building awareness, knowledge, and skills needed to address climate change. By ensuring access to quality education (SDG 4) and incorporating climate change action education (SDG 13), children can be better equipped to understand, respond to, and contribute to sustainable development, environmental protection, and resilience in the face of climate-related challenges (SDG, 2019; UNESCO, 2019).

These goals emphasized the importance of holistic education that not only impacts academic knowledge but also fosters a sense of responsibility for the environment and the world's sustainable future. In this regard, ESD takes interdisciplinary approach, integrating environmental, social and economic perspectives into curriculum (Quennerstedt, 2022; Samuelsson & Park, 2017). It encourages critical thinking, problem-solving, and active engagement with real-world sustainable challenges. This behoves that the Nigerian educational curriculum should not only be centered on classroom learning alone (Grover, 2019), but it should incorporate practical, and more advanced practical learning that allows children contact with the real-world and how to tackle critical situations (Adepeju, 2017). This can only be achieved where there is an adequate infrastructure that enables this type of learning to be achieved in Nigerian schools.

An important aspect of education for sustainability is to empower children to become active and responsible global citizens (Ärlemalm-Hagsér & Elliott, 2017; Babalola & Olawuyi, 2021). This involves fostering a sense of responsibility for the environment and society, as well as the ability to take action to address sustainable challenges (Adepeju, 2017; Ashida, 2023). Children should be encouraged to develop critical thinking skills and problem-solving abilities to address sustainable issues. This includes understanding complex problems, evaluating solutions, and making informed decisions. The right to child education in this research is restricted to the formal education and state obligation to

maintain, protect, and preserve it for a sustainable society. Furthermore, ESD promotes values such as environmental stewardship, social responsibility, and ethical behavior (Do et al., 2020). Children should be encouraged to respect and protect the environment and consider the well-being of current and future generations. Hence, Nigeria should make efforts towards holistic learning that goes beyond traditional academic subjects', to topics like climate change, biodiversity, resource conservation, sustainable consumption, and social justice. Similarly, children should be encouraged to recognize global citizenship, learning from their cultures and communities (Addaney & Azubike, 2017; Ashida, 2023; Grover, 2019). To achieve local, indigenous and global knowledge in sustainability (Ärlemalm-Hagsér & Elliott, 2017; Babalola & Olawuyi, 2021; Spiteri, 2022). Besides teaching children to have critical skills to analyze complex issues, how to make informed decisions, and questioning prevailing norms (Samuelsson & Park, 2017; Spiteri, 2022). These children must also be taught to think about the consequences of any action they take on future generations. This will enable these children to learn while taking responsibility for their actions and inactions. This invariably produces quality learning and learning that is sustainable.

Education for sustainability comes with numerous benefits, especially early child and girl child education without disparity (Bakken et al., 2017; Diriwari, 2022; Isiguzo & Ozuru, 2020). For instance, sustainable child education equips girls with the skills and qualifications necessary to access a broader range of job opportunities, prepares them for higher-paying jobs in various sectors, while reducing gender wage gaps in Nigeria (Folayan et al., 2020; Guerra et al., 2019). This increase in earning allows them to effectively support themselves and their family, and make economic decisions for themselves (Coll et al., 2020; Guerra et al., 2019). It reduces their vulnerability to economic exploitation and domestic violence in the home (Ciruela-Lorenzo et al., 2020; Lenze & Klasen, 2017). While affording them access to leadership and managerial roles (Folayan et al., 2020; Lladós-Masllorens & Ruiz-Dotras, 2022), becoming entrepreneurs and contributing to economic growth (Birindelli et al., 2019), breaking the cycle of poverty as well.

Similarly, an educated child is more likely to recognize their rights and have the courage to challenge harmful traditional practices (Petroni et al., 2017). Able to navigate the legal system to seek legal remedies and protection against the violation of their rights, especially those facing abuse (Chinyere Anozie et al., 2018; Kidman, 2017). Sustainable education provides children with essential knowledge about health and hygiene practices. Including understanding the importance of vaccines, proper nutrition, clean water, and sanitation, which can significantly reduce the risk of diseases that contribute to child mortality (Memiah et al., 2020). As well as harmful practices that leads to maternal mortality (Ahmad et al., 2018; Doku et al., 2020; Clark et al., 2018; Woods-Jaeger et al., 2018). Educated girls are able to make informed decisions about their lives (Titilayo et al., 2017) and are more likely to understand the negative consequences of child marriage, delay marriage (Gul, 2020). While being aware of the legal age of marriage (Addaney & Azubike, 2017). They become confident to assert their choices and aspirations, at the same time breaking generational cycle of harmful traditional practices in Nigeria.

Child's right to education that is sustainable and free from discrimination, leads to increase in economic growth and national development. This invariably means that, not only does the educated individual benefit, but also the society benefits from the impact of quality education on children. Children are equipped with the knowledge, skills, and abilities needed to contribute effectively to labour force (Bakken et al., 2017; Cardella et al., 2020). Increasing the country's human capital, enhancing productivity and efficiency of the workforce (Årlemalm-Hagsér & Elliott, 2017). Well-educated children tend to be more productive and capable of performing a wider range of tasks, leading to higher economic output. Sustainable education offers creativity and innovation, which are essential for economic development (Du & Tao, 2022; Wang, 2022). Educated children are more likely to engage in research, development, and the adoption of new technologies (Du & Tao, 2022; Samuelsson & Park, 2017) to address climate change and produce an environment that is sustainable for the benefit of future generations (Babalola & Olawuyi, 2021; Samuelsson & Park, 2017; Spiteri, 2022). If Nigeria prioritize sustainable education and the right of child education, in no time, she will become a global competitor, reduce poverty and crime rate to near zero, as well as boost its economic growth to sustain itself in the mist of future global challenges.

5. RECOMMENDATIONS FOR STRENGTHENING CHILD EDUCATION RIGHTS TO STRENGTHEN CHILD EDUCATION FOR SUSTAINABILITY, THIS STUDY RECOMMENDS AS FOLLOWS:

Effective legislating

Effective legislation is a critical means of promoting the right to education in Nigeria. Legislation provides a legal framework that outlines the rights and responsibilities of both the government and citizens regarding education. To promote the right to education effectively, there must be clear and comprehensive education laws that are not restricted by the non-justiciability of education as contained in Chapter II of the 1999 constitution. It must be free and compulsory education that is non-discriminatory, but having quality standard (Adiela & Achinewhu, 2021). Nigeria must make conscious efforts to allocate funds for education and child education. Specify in the legislation the minimum budget allocation and percentage of the national budget that must be directed towards education (Addaney & Azubike, 2017; Babalola & Olawuyi, 2021; Bakare, 2018; Ebenezer, 2017; Tajudeen Ojo Ibraheem, 2015). This will ensure that sufficient resources are allocated to provide quality education. Legislation must equally make provision for the rights and responsibilities of teachers, accessibility and inclusivity for all children to cater for children with disability and those from a very poor background. Child protection measures laws that safeguard children against abuse, violence, and exploitation in educational setting must be included in the legislations (Diriwari, 2022). There should also be provision for regular monitoring and evaluation of the education's system's performance, enforcement and accountability mechanisms to ensure implementation, public participation and awareness and sensitization by government officials (Do et al., 2020). Since legislation is a crucial tool for promoting the right to education in Nigeria, then proper implementation, enforcement, and accountability is inevitable for effectiveness.

Enforcing ratified treaties and conventions on children's right to education

Nigeria like many countries around the world, has signed and ratified many treaties especially all the treaties and convention on the right to education mentioned in this study. Enforcing ratifies treaties and conventions on the right to children education is a powerful means of promoting the right to education in Nigeria (Achinewhu, 2020; Adiola & Achinewhu, 2021; Do et al., 2020; Hoa & Valco, 2018). By actively enforcing these treaties and conventions, Nigeria can ensure that it upholds its international obligations and advances the right to education for all children. Besides incorporating or enacting into laws these international treaties and conventions like the Child Rights Act 2004, or aligning national laws with international standards, Nigeria must make these legislations legally enforceable within the country (Faga, 2018). The barriers to education as a fundamental right which makes the right to education unenforceable in accordance with Chapter II and Section 6(6)(c) of the 1999 constitution must be amended. Nigeria must also promote inclusive education policies and practices, collaborate with other countries, while conducting research and sharing best practices related to child education. This will help identify effective strategies and innovative approaches to promote the right to education of children and the quality education that is sustainable.

Prioritizing child education

Prioritizing child education is another fundamental approach to promoting the right to education in Nigeria. By focusing on child education, Nigeria can make significant strides towards achieving universal and quality education for all (Bakken et al., 2017; Oni, 2022; Tagi, 2018). In this regard, Nigeria must make concerted efforts to prioritize efforts to increase access and enrolment of children in schools, particular in undeserved and marginalized areas. It must also promote gender quality in education, invest in early childhood education and emphasize quality education that is sustainable (Ashida, 2023; Chibuike et al., 2016; Roopnarine et al., 2018; Sarabhai & Vyas, 2017). Similarly, teachers must receive adequate and professional training, provide an all-inclusive educational environment and system, safe and secure learning environment, as well as provide financial support and aid to those parents who cannot afford to send their children to school (Bascopé et al., 2019; Raj et al., 2019). While discouraging parents who like to give birth to numerous children that they do not have the capacity to train, feed, and shelter or educate them. To help minimize future trauma on uneducated children and to protect and safeguard the right of children to quality education for sustainable development.

Addressing socio-economic challenges

Socio-economic challenges, including poverty, inequality, and access to basic services, often hinder children's ability to access and benefit from quality education as earlier highlighted. Therefore, to promote the right to education effectively, Nigeria must provide a realistic, feasible and effective poverty alleviation program that provides financial assistance (Faga, 2018; Oni, 2022; Tagi, 2018), job training, and access to credit that can help parents support their children education and not the current stupendous sums used

by the federal government for school feeding to a few schools that the impact is minimal or has not been felt at all till date. The Nigerian government should develop a vocational and skill-based training program that will equip young people with practical skills for employment and entrepreneurship that is sustainable and capable of reducing poverty in the long-run (Khatab et al., 2019; Rufai et al., 2019). As well as encourage sustainable agriculture practices and provide training to families, enabling them to increase their income and meet the basic needs of their children, because it would be impracticable for government to effectively meet all the needs of its population (Rufai et al., 2019). Furthermore, aside from promoting gender equality by empowering women, Nigeria can consider implementing conditional cash transfer programs that provide financial incentives to families in exchange for sending their children to school regularly. This will encourage very poor and disadvantaged children to access their right to quality education in Nigeria and child education will be sustained in Nigeria.

6. IMPLICATION FOR PRACTICE AND PROCEDURE

Implementing effective strategies for child’s access to quality education and maximizing the benefits for sustainable development requires careful planning, resources, and a commitment to addressing the challenges and barriers that children face in Nigeria in exercising their right to education. Table 1 below is a summary of key implication for practice and procedure.

Table 2: Key implication for practice and procedure

IMPLICATION FOR PRACTICE AND PROCEDURE			
S/N	Items	Implication	Practice
1.	Effective legislating	Enact enforceable legislations on free, compulsory, and accessible education for sustainability	Provide mechanism for enforcement and amend Section 6(6)(c) of the 1999 Constitution with regards Chapter II of the constitution
2.	Inclusive and sustainable education	Ensure that educational systems are inclusive, sustainable and accessible to all children, regardless of their backgrounds, abilities, or circumstances.	This requires adapting teaching methods, providing special support when needed. And removing physical and social barriers to education
3.	Prioritize education	Make education a national priority in Nigeria	Allocate adequate financial resources and political will to ensure that all children receive the quality education they deserve for a sustainable Nigeria
4.	Early education and parental engagement	The importance of early learning should be recognized. Encourage active parent and guardian participation in child education.	Lay a strong foundation through early education and encourage parents to collaborate with teachers and inculcate a culture of learning to help the child.
5.	Curriculum relevance and flexibility	Develop a curriculum that is relevant, engaging, and responsive to the needs and interest of children. Recognizing that one-size-	Curriculum should not be restricted to academic subjects but also life skills and practical knowledge. It should offer flexible learning options

		fits-all approach may not work for every child.	like online and distance learning to accommodate diverse needs and capacity.
6.	Access to resources and financial support	Implement mechanisms for free, affordable and accessible education for all. While ensuring that schools have the necessary resources, including textbooks, learning materials, comfortable learning environment, and technology that supports education.	Address resources disparities between urban and rural areas in Nigeria. Provide scholarships and financial help to families facing economic challenges.
7.	Security and safe learning environment	Create a secure, safe and nurturing learning environment that protects children from harm, bullying, discrimination, sexual abuse and untimely deaths	Address the problem of insecurity and domestic violence in the home in Nigeria. At the same time promote mental health and well-being in school.
8.	Gender equality	Promote gender equal access to education. Ensuring that government policies guarantee equality.	Address issues like early marriage and teenage pregnancy that may hinder girl's education. Promote equal access policies.
9.	Quality teachers and training	Invest in professional development and training of teachers to achieve high-quality teaching.	Teachers should be equipped with knowledge and skills to engage students and adapt to diverse learning needs.
10.	Monitoring and assessment and crisis resilient	Implement continuous monitoring and assessment systems to track progress and identify areas that need improvement. While ensuring a resilient educational system in the face of crises or disasters.	Use data to inform policy and practice. As well as providing continuity of learning for affected children.

7. CONCLUSION

In conclusion, this study revealed that child education is instrumental in preparing the next generation to address complex global challenges including the challenges in Nigeria. Education for sustainable development equips children with the knowledge, skills, and values needed to contribute to a more sustainable and equitable future for the country. Similarly, child education brings about multiple of benefits. It enhances cognitive development, increases employment opportunities, promote health literacy, and empowers children to make informed decisions. As well as enhances economic development. Which aligns with the goals of the various treaties and conventions on education as a right for human dignity and development. Education contributes to individual growth, reduces poverty, and fosters gender equality, among other positive outcomes.

Child education is a fundamental human right and a catalyst for positive change. It is a cornerstone for personal development and societal progress. By providing children with knowledge, skills, and values, education empowers them to address the challenges of their time, contribute to economic growth, promote health and well-being, and foster a

more just and equitable Nigeria. The benefits of child education extend beyond individuals to families, communities, and the world. As such, investing in child education is an investment in a brighter and more sustainable future.

Foot Notes

- 1) Suit No.: ECW/CCJ/AAP/12/070808 Judgment No. ECW/CCJ/JUD/07/10 30 November 2010.
- 2) See the case of *Christian Education South Africa v Minister of Education*, decided on 18 August 2000.
- 3) *Social and Economic Rights Action Centre (SERAC) and Another v. Nigeria* [2001] AHRLR 60 (ACHPR 2001)
- 4) (1981) 2 NCLR 625 HC.
- 5) (2002) 27 WRN 1 SC.
- 6) SERAP v. FRN & UBEC, ECW/CCJ/AAP/12/070808 Judgment No. ECW/CCJ/JUD/07/10 30 November 2010

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