



**ACHPR**  
African Commission on  
Human and Peoples' Rights

Human Rights our  
Collective Responsibility

**CONCEPT NOTE**  
**THE WORKING GROUP ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN**  
**AFRICA**

**PANEL ON THE AFRICAN UNION THEME OF THE YEAR 2024:**  
**THE RIGHT TO EDUCATION**

**1. Introduction**

The Assembly of Heads of State and Government of the African Union (AU) at its 36<sup>th</sup> Ordinary Session in February 2023 adopted the AU theme of the Year 2024, as *Educate an African fit for the 21<sup>st</sup> Century: Building resilient education systems for increased access to inclusive, lifelong, quality, and relevant learning in Africa.*

Recent reviews of the African Union Continental Education Strategy for Africa (CESA 16-25) and Education 2030 Framework for Action, the AU-UNESCO continental report of the CESA and SDG42 and a joint AU-UNICEF report on Transforming Education in Africa, point to the fact that over the past ten years, African Governments have undertaken a wide range of programmes and policy-level efforts to ensure that no child is left behind in access to education. There have been substantial efforts on the continent to ensure access, completion, and quality of basic education for all. Overall, the proportion of out-of-school children had decreased until around 2010. The completion rates had improved in primary and lower secondary education, as well as the access to and the participation in TVET. There was also noticeable progress in the access to pre-primary education and in adult literacy and lifelong learning. With regards to School Feeding, low-income countries, have doubled their national budget expenditures to HGSF from 17 percent to 33 percent between 2013 and 2020. In lower middle-income countries, national budgets now account for 88% of school meals financing, up from 55% in 2013.

However, despite efforts and progress made, three main indicators ring a warning bell. Although the out of school rate, i.e., the “proportion of children and young people in the official age range for the given level of education who are not enrolled in preprimary, primary, secondary or higher levels of education” keeps steadily decreasing, especially

for the primary level, the absolute number has reached the alarming global estimate of 98 million in Africa 3 (see figure 1 below). The learning poverty rate, i.e. “the share of children who cannot read a simple text with comprehension by age 10 was the highest in sub-Saharan Africa before COVID-19 pandemic, at 86%. This rate is likely to have worsened after the pandemic, estimated now at 90%. This means that nine out of ten children cannot read a simple text with comprehension by age 10. 4 (see figure 2 below). Africa will need 17 million additional teachers in order to achieve universal primary and secondary education by 2030.

Looking closely at each specific goal in CESA 16-25 or in the SDG4, one realizes the urgency to transform and revitalize the entire education system on the continent, while paying special attention to marginalized groups including girls, children in rural areas, those living with disabilities, and those in the move, including those in fragile countries and contexts.

Education is a basic human right which serves as a tool to raise men and women out of poverty, level inequalities and ensure sustainable development. Various International and regional human rights frameworks expressly provide for the right to education. The African Charter on Human and People’s Rights (the African Charter) recognizes the diverse nature of this right, as seen in its provisions. While *Article 17* of the African Charter stipulates the basic right to education, *Article 25* stipulates the duty of the States to promote human rights through education, training and publication. It is also the duty of the States to ensure the respect and understanding of the rights and freedoms contained in the Africa Charter. Notwithstanding, other African regional Human Rights frameworks such as the African Charter on the Rights and Welfare of the Child, the Protocol to the African Charter on the Rights of Women in Africa and the African Youth Charter also provide for the right to education.

The African Commission on Human and Peoples’ Rights (the Commission) concerned about disparities in education levels and the inadequate resources available by States in their budgets to realize the right to education, including the provision of equal access and opportunity to all adopted – *ACHPR/Res.6(XIV)93, Resolution on Human Rights Education* and – *ACHPR/Res.346(LVIII)2016 Resolution on the Right to Education in Africa*.

In a bid to achieve the goals of the theme of the year 2024 and raise awareness of the Right to Education across Africa, the Commission’s Working Group on Economic, Social and Cultural Rights in Africa is organising a **Panel on the Right to Education for All**, during its 79<sup>th</sup> Ordinary Session of the Commission, scheduled to take place from 15 May to 3 June 2024, in Banjul, The Gambia (Hybrid).

## **2. Objectives**

The main objective is to raise awareness on the Right to Education in Africa in general while paying special attention to marginalized groups including girls, children in rural areas, those living with disabilities, Indigenous Populations and Refugees and Asylum Seekers.

The specific objectives are to:

- a) raise awareness on the Right to Education amongst State Parties, National Human Rights Institutions (NHRIs), International Organizations, Civil Society Organizations (CSOs) (Non-Governmental Organizations (NGOs), other stakeholders and general public;
- b) encourage States towards the achievement of CESA and SDG4 targets;
- c) development and implementation of effective, longlasting, system-wide transformational strategies for education in Africa;
- d) promote education and revitalize the education systems in Africa, with particular focus on marginalized groups including girls, children in rural areas, those living with disabilities, Indigenous Populations and Refugees and Asylum Seekers; and
- e) ensuring equal opportunity and general accessibility, both physical and economic, for all persons to education without discrimination.

## **3. Expected Outcomes**

- a) continental engagement in the promotion of the right to education in Africa;
- b) resilient education systems built for increased access to inclusive, lifelong, quality, and relevant learning in Africa; and
- c) respect for and understanding of the right to education amongst States as stipulated in the African Charter and other regional human rights instruments.

## **4. Methodology**

The methodology is a short panel discussion on the subject matter. Specifically, the panelists/speakers will make brief presentations touching on various aspects relating to the right to education. This will be followed by an interactive discussion.

## 5. Panelist

- a) Commissioner Mudford Mwandenga – Chairperson of the Working Group on Economic, Social and Cultural Rights;
- b) Commissioner Janet Ramatoulie Sallah Njie – Special Rapporteur on the Rights of Women in Africa;
- c) Commissioner Marie Louise Abomo- Chairperson of the Working Group on Older Persons and Persons with Disabilities;
- d) Commissioner Litha Musyimi Ogana – Chairperson of the Working Group on Indigenous Populations/ Communities in Africa;
- e) Commissioner Selma Sassi- Special Rapporteur on the Rights of Refugees, Migrants and Internally Displaced Persons in Africa;
- f) Dr. Caseley Olabode Stephens, Policy Officer at the African Union Commission's Department of Education.

## 6. Participants

All participants at the 79<sup>th</sup> Ordinary Session of the Commission including, State Parties, Organs of the AU, NHRIs, International Organizations, CSOs, NGOs and other interested person as well as the general public.

## 7. Language

The Panel will be conducted in the four (4) AU languages i.e., English, French, Portuguese and Arabic.

## 8. Date & Time

The Panel will take place on 24<sup>th</sup> May 2024, from 09:00 to 10:30 GMT.

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## AGENDA/PROGRAMME

- 09:00- 09:05**      *Introductory Remarks*, Hon. Commissioner Mudford Mwandenga, Chairperson of the Working Group on Economic, Social and Cultural Rights. (5mins)
- 09:05 - 09:15**      *Overview of the CESA 16-25- Current State of Education across the Continent and the Strategic Objectives of the AU in reforming Education Systems*, Dr. Caseley Olabode Stephens, Policy Officer at the African Union Commission's Department of Education. (10mins)
- 09:15 - 09:25**      *Education for the Girl Child: Opportunities and Challenges*; Commissioner Janet Ramatoulie Sallah-Njie – Special Rapporteur on the Rights of Women in Africa. (10 mins)
- 09:25 - 09:35**      *The Right to Education and Provision of Suitable Educational Systems for Persons with Disabilities*, Commissioner Marie Louise Abomo- Chairperson of the Working Group on Older Persons and Persons with Disabilities. (10mins)
- 09:35 - 09:45**      *Access to Education for Indigenous Populations/Communities in Africa*, Commissioner Litha Musyimi Ogana – Chairperson of the Working Group on Indigenous Populations/ Communities in Africa. (10mins)
- 09:45 - 09:55**      *Access to Education for Refugees and Asylum Seekers*, Commissioner Salma Sassi Afer- Special Rapporteur on the Rights of Refugees, Migrants and Internally Displaced Persons in Africa. (10mins)
- 09:55 - 10:25**      **Interactive Discussions.** (30 mins)
- 10:25 - 10:30**      **Closing Remarks** - Hon. Commissioner Mudford Mwandenga, Chairperson of the Working Group on Economic, Social and Cultural Rights. (5 mins)

End of Programme