

HAKI ZETU

ESC rights in Practice

The Right to Education

Haki Zetu is Swahili for Our Rights

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The **Right to Education Project** aims to promote social mobilisation and legal accountability, focusing on the legal challenges to the right to education.

The cornerstone of the Project is a wide-reaching website on education rights, initiated by the former UN Special Rapporteur on the Right to Education, Katarina Tomaševski. To ensure continued relevance and engagement with activists and the academic community, the Project also undertakes comparative research to advance an understanding of the right to education.

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The Haki Zetu Handbook series has been developed and produced by the **Special Programme on Africa** (SPA) of Amnesty International Netherlands. The SPA works together with African partners to make human rights more meaningful to people at community level.

The programme aims to contribute to:

- The growth of human rights activism in Africa, with an emphasis on making human rights work in and for rural communities; and
- Innovation of strategies and methods to make a more meaningful contribution to the promotion, protection, respect and fulfilment of human rights in Africa.

For more information and to download publications go to www.amnesty.nl/spa



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This book was originally researched and drafted by Valérie Traoré, and subsequently reviewed by Gillian Nevins. Valérie Traoré is the Executive Director of NIYEL, a campaign agency that specialises in developing targeted and creative strategies for development, political and cultural agendas. Prior to founding NIYEL, Valérie has served as International Campaigner for ActionAid International, Pan African Program Manager at ACORD, Communication and Campaigns Officer at Oxfam America and Country Specialist at Amnesty International USA. She has developed and implemented successful campaigns throughout Africa and has trained activists and organisations on campaigning in Africa, Latin America and Asia.

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The focal point at the Right to Education Project was its previous Project Coordinator Peter Hyll-Larsen, who contributed with comments and suggestions.

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The *Haki Zetu* handbook series is developed by Amnesty International in partnership with others. It is an educational tool and not an Amnesty International policy text. Facts and case examples are directly taken from quoted sources and not corroborated by Amnesty International.

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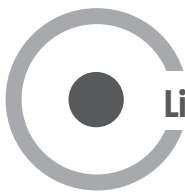


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Education is “both a human right in itself and an indispensable means of realising other human rights”.¹ Through education, people can:

- Learn about life and work so as to have more social and economic opportunities and make better choices about how they want to live;
- Enjoy learning among friends and fellow students;
- Develop their own personality;
- Know about their rights and how to claim them;
- Know about the rights of others and how to respect them;
- Know about their duties to other individuals and the community;
- Give their children a better start in life;
- Know how to find the information they need;
- Keep up to date with what is happening in their community or country;
- Participate in decisions that affect them; and
- Challenge decisions made by others that make their lives difficult.

For children, education provides a unique space where they can play in order to learn about life, be less burdened by household tasks, and be entirely free from child labour. Education also empowers traditionally marginalised groups like women, minorities, rural populations and the poorest members of society to break the cycle of poverty and oppression. Education can take place in a formal school environment, and informally as provided by civil society organisations.

Box 1: The joy of learning

“Increasingly, education is recognised as one of the best financial investments States can make. But the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.”

Source: Committee on Economic, Social and Cultural Rights (CESCR), General Comment No.13 on the right to education

With an educated population and a commitment to uphold human rights, a government is in a good position to avoid conflict and advance the country's development. Education is the primary tool for promoting human rights, equality and non-discrimination. It also promotes peace through increased understanding, tolerance, respect and friendship among different groups and cultures. It enables people to participate actively in society and in business, to create jobs, expand industry and raise living standards.

Some African countries have recognised that education is vital for people's well-being and development and taken steps to improve access to education. Others have yet to remove barriers to primary education such as cost and gender discrimination.

As a way to hold decision makers accountable, Non Governmental Organisations (NGOs) and Community Based Organisations (CBOs) can empower communities to understand their right to education, and equip them with the necessary tools to take action and hold their governments to account. This booklet explains how this can be done. It should be used in conjunction with the Main Book in the Haki Zetu series. It may also be used in conjunction with the resources provided at the Right to Education Project website.²

One of the purposes of education is to strengthen respect for human rights and fundamental freedoms. The right to education therefore includes people's right to receive, and the duty of states to provide, even if this is not explicitly mentioned in national laws and policies, human rights education.

This booklet is divided into three sections and five appendices:

- **Section 1** gives a brief introduction to the right to education and the main issues facing those defending the right. Information is presented in two ways:

- Basic info provides the reader with general information on an element of the right to education. It is indicated by a Basic info icon in the margin.
- In-depth info provides the reader with additional information. It is indicated by an In-depth info icon in the margin.

A reader wishing to understand the basic elements of the right to education can read only the Basic info parts and proceed to Section 2.

- **Section 2** prepares the reader to work with the right to education. It gives advice on:
 - How to identify the State's obligations regarding the right to education;
 - What the role of non-State actors is;
 - How to identify violations of the right to education;
 - Where to find the right to education in national laws and policies; and
 - Working with the community to develop and carry out a strategy.
- **Section 3** is about realising the right to education in practice. It provides several strategies to monitor and defend the right to education as defined in Section 1.

basic info

in-depth info

- At the end of the book there are Acronyms, a Glossary and Endnotes.
- There are five appendices:
 - Relevant extracts from international and African human rights standards on the right to education;
 - The ActionAid/Right to Education Project Charter on Promoting Rights in Schools;
 - Indicators for monitoring the 4As;
 - A list of sources and resources on the right to education; and
 - A list of organisations working on the right to education.

If hyperlinks (internet links) are used in this booklet, they may not work unless they are pasted fully in internet search machines.

1 Understanding the right to education

This section introduces the reader to the situation of the right to education in Africa, what the right to education means and some of the challenges in its realisation.

1.1 The current situation of the right to education in Africa

“Knowledge is power. Information is liberating. Education is the premise of progress, in every society, in every family.” Kofi Annan (former UN Secretary General)³

The right to education is recognised in international and regional human rights treaties as well as national constitutions. However, in Africa, while there have been some achievements, education remains out of reach for millions of children. Most adults have not had much education and are barely literate.

1.1.1 The current situation of education in Africa

In Sub-Saharan Africa, the percentage of children in primary school increased from an average of 56% in 1999 to 73% in 2007⁴. This is a significant increase, but it means that one in four children in Sub-Saharan Africa still does not go to school – a total of 32 million primary-school-age children. This is almost half (45%) of the global out-of-school population.

Girls are less likely to receive proper schooling than boys. According to the United Nations Children's Fund (UNICEF), while 19% of boys in Sub-Saharan Africa do not go to primary school, an even higher percentage of girls (23%) are not > enrolled.⁵ For secondary education, 40% of all lower secondary school-age girls and 33% of boys do not go to school. Most children who reach upper secondary school are boys.⁶

Terms indicated by an arrow > are defined in the Glossary.



The quality of education is not always of a good standard. The introduction of school fees in the 1980s (as a result of > structural adjustment) and the subsequent elimination of fees in the mid-1990s (as a result of campaigning by development agencies⁷) resulted in overcrowded schools, a lowering of teacher qualifications and salaries, and inadequate teaching and learning materials. African teachers have to deal with an average of 45 children per school class, while numbers of 70 to 100 children have been recorded.⁸ Many students who complete their education do so without learning how to read and write properly.

Other factors affecting the quality of education are:

- Lack of investment in education, partly due to a lack of understanding of the long-term benefits that education brings to the individual and to society;
- Too few schools, particularly in rural areas;
- Poor infrastructure, including badly built classrooms and electricity cuts;
- Fees or >hidden costs where education is supposed to be free of charge;
- Children, especially girls, are subject to violence and abuse in some schools;
- Schools that do not meet the needs of different groups, including girls, persons with disabilities, ethnic minorities, nomads or religious groups;
- The impact of HIV/AIDS making children orphans and leaving schools without teachers; and
- Foreign debt and corruption weighing heavily on the national budget and reducing investment in education.

Education statistics per country, for example of enrolment ratios, gender differences, education quality indicators and public expenditure as a percentage of government budgets or GDP, are available at www.uis.unesco.org/Education, <http://mdgs.un.org/unsd/mdg/Data.aspx> and www.gapminder.org

1.1.2 What governments, NGOs and CBOs are doing

Many governments have not yet fulfilled their obligations concerning education. Out of 46 African countries, 29 have not managed to provide free public primary education for all school children.⁹ As mentioned in Section 1.1.1, a quarter of all school-age children in Africa do not yet go to school. Nevertheless, there have been improvements.

The African Union (AU) recognises that “Education is a critical sector whose performance directly affects [...] Africa’s development”.¹⁰ The Second Decade of Education for Africa (2006-2015) provides a detailed plan of action to promote better education.

African governments are working towards > Education for All (EFA), a goal adopted at the World Conference on Education for All in 1990. In April 2000, the World Education Forum met in Dakar, Senegal, and adopted the Dakar Framework for Action. This expects governments to achieve universal primary education by 2015. Many African governments have made primary education free and compulsory but they have often failed to build more classrooms or employ more teachers, leading to overcrowded classes.

The Dakar Framework recommended that at least 20% of the national budget or 5% of the > Gross Domestic Product (GDP) should be spent on education.¹¹ Though many countries have progressively invested more in education, around 75% of all African countries have not yet reached these targets.¹²

African civil society organisations have made headway in ensuring that the right to education remains a national priority. They include large national networks, various NGOs at national and district levels and smaller CBOs.

These organisations have worked to improve the education system, help communities understand their right to education and draw attention to the obligations the State has concerning these rights. Working with community organisations, they have lobbied for change of policies at the national, regional and international levels. The work of some of these organisations is included in this booklet.

Box 2: A community library

The Ghana Health and Education Initiative (GHEI), based in Ghana’s Western Region, works “to help children and youth stay healthy and stay in school”. One of its education initiatives was to build a Community Library in Humjibre. It received books from the organisation Books for Africa and other sources. The library is managed by members of GHEI’s local staff who have noted the willingness of students to teach each other. To encourage this, as far as funds allow, they provide teaching materials, such as a blackboard and chalk, paper and pens.

Source: www.ghei.org

1.2 The right to education

The right to education applies to people of all ages and to people with different educational needs.

The right is found in many international and African human rights treaties including:

- The International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 13;
- The Convention on the Rights of the Child (CRC), Articles 28-29;
- The African Charter, Article 17; and
- The African Charter on the Rights and Welfare of the Child (ACRWC), Article 11.

Useful extracts are provided in Appendix 1.

The UN Committee on the Rights of the Child (CRC) and the UN Committee on Economic, Social and Cultural Rights (CESCR), which monitors the way governments carry out their obligations under the respective treaties, also publish General Comments. These are expert interpretations of the treaties. The most important General Comments on the right to education are:

- CESCR General Comment No. 11 on plans of action for primary education;
- CESCR General Comment No. 13 on the right to education;
- CESCR General Comment No. 3 on the nature of State party obligations; and
- CRC General Comment No. 1 on the aims of education.

Many African States have ratified the ICESCR.¹³ Many have also included right to education provisions in their constitutions and national laws (see more in Section 2.2).

According to the ICESCR States should:

- Develop and adopt a detailed plan of action for the progressive implementation of the principle of compulsory education that is free of charge for all. There should be a clear timetable for implementing the plan; and
- Ensure the provision of:
 - Free and compulsory primary education;
 - Secondary, > technical and > vocational education to be made generally available and accessible, and progressively made free of charge;
 - > Higher education – universities and other institutions – to be made equally accessible by all, and also progressively made free of charge; and
 - > Basic (or > fundamental) education for all those, whatever their age, who have “not yet satisfied their basic learning needs”. This includes catch-up courses for children who dropped out of school and > literacy (reading) and other skills for adults.¹⁴

While primary education should be compulsory, parents should be able to choose the kind of education that shall be given to their children.

In addition to this, international treaties add that State parties should work on:

- The development of a system of schools at all levels, and an adequate > fellowship system, while “the material conditions of teaching staff shall be continuously improved”;
- Information about the education system should be available and accessible to all; and
- Measures to encourage regular attendance and to reduce > drop-out rates.

1.2.1 The purposes of education

Education is not just about learning facts. Article 13 of the ICESCR states that the purposes of education are to:

- Lead to the full development of the human personality (see Box 3) and the sense of its > dignity;
- Strengthen respect for human rights and fundamental freedoms;
- Enable everyone to participate effectively in a free society; and
- Promote human rights, equality and non-discrimination and peace through understanding, tolerance, respect and friendship among all nations and all ethnic or religious groups.



Box 3: Personality development

“Personality development” has been described as a part of “learning to be”. In addition to gaining knowledge and skills and being part of a community (“learning to know, learning to do and learning to live together in tolerance and friendship”) education must develop the personality. This involves, among other things, developing capacities such as memory, reasoning, aesthetics (appreciation of beauty), imagination, communication skills and physical capacities.

Source: *Learning to be. A holistic and integrated approach to values education for human development*. UNESCO, 2002. <http://unesdoc.unesco.org/images/0012/001279/127914e.pdf>

CESCR General Comment No. 13 on Article 13 of the ICESCR notes that “Education is both a human right in itself and an indispensable means of realising other human rights.” Education is essential for:

- Lifting economically and socially marginalised adults and children out of poverty and enabling them to participate fully in their communities;
- Empowering women and safeguarding children from exploitative and hazardous labour and sexual exploitation; and
- Promoting human rights and democracy, encouraging protection of the environment and helping to control population growth.

This means that education should be organised on the basis of a human rights based approach and students have a good understanding of human rights.

Box 4: The right to human rights education

The right to human rights education is a neglected item in most schools. Yet, under the African Charter, in Article 25, States have a duty to include it in the > curriculum.

Article 25 of the African Charter says: “States parties to the present Charter shall have the duty to promote and ensure through teaching, education and publication, the respect of the rights and freedoms contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood.”

In December 2011 the UN General Assembly adopted the UN Declaration on Human Rights Education and Training.

The principles of human rights education were set out in the Main Book, Part II, Section 11.1, Table 9.

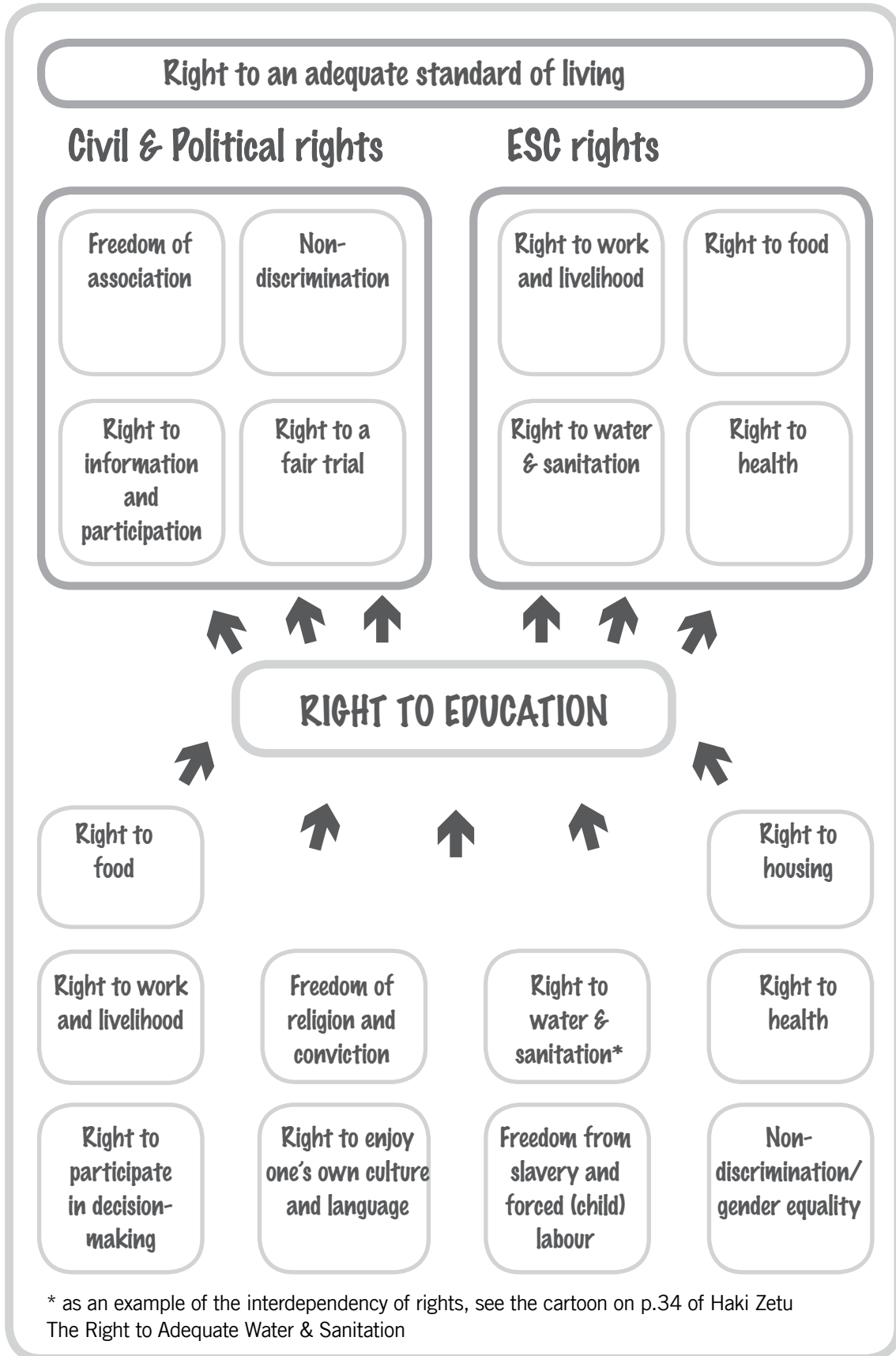
1.2.2 Linking the right to education to other rights

All human rights are indivisible and interdependent. In addition to being a right in itself, education is an “enabling” right. It “enables” or allows people to obtain the information, skills and confidence to claim other rights and to live a more dignified life. For example, through education, people are enabled to:

- Participate in democratic governance;
- Become more respectful of the rights of others (non-discrimination); and
- Have better access to jobs and other opportunities for earning a decent living, to health care and other rights.

Education provides people with knowledge and skills (reading, writing, calculating, expressing one's views, problem solving, gender-awareness) that contribute to autonomy, empowerment

Figure 1: The right to education linked with other rights



and self-consciousness. This enables them to participate in society as citizens, as respected community members, and to claim their rights and the rights of others. It enables everyone to “participate effectively in a free society” and “promote understanding, tolerance and friendship” among different groups and societies (CESCR General Comment No. 13).

As Figure 1 shows, the right to education is related to and dependent on other rights. One can only enjoy the right to education if one has access to the rights at the bottom of the Figure, while the right to education enables people to enjoy the rights at the top of the Figure (note that the rights in the Figure are not exhaustive).

The following examples explain some of the relationships:

- People who enjoy the right to health care are healthy because they enjoy the right to health;
- Having a good education allows people to learn how to protect their health and to obtain access to health care;
- The right of children to be free from child labour enables them to receive education;
- Having a good education puts people in a better position to organise themselves and form associations;
- The right to food, housing and healthy environments enables children to benefit from their education;
- People with a good education are in a better position to improve their own production or have more access to employment which in turn enables them to enjoy a better standard of living.

These examples illustrate what is called the interdependency of human rights.

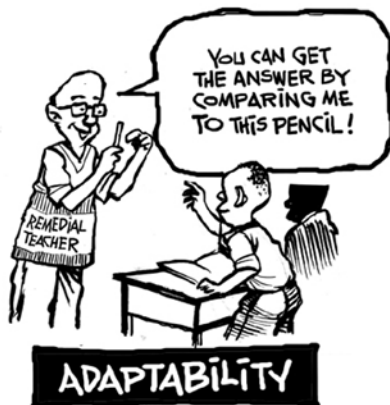
Interdependency can also be explained by the following example: If children are not forced to work (child labour), they can go to school. If they do not go to school, they are easily drawn into household work or street labour. This makes them vulnerable to exploitation, which affects their self-esteem and health, and in turn makes the chances of going to school even lower. Having education on the other hand results in better jobs and income (right to work and livelihood), better self-defence and more equal relationships (especially for girls), more control over their own sexuality and childbearing, better child care and less likelihood of being exploited. Therefore, working on different rights with a central role for the right to education ensures that the vicious circle of poverty turns into a circle of rights.

1.2.3 Essential features of the right to education

CESCR General Comment No. 13, paragraph 6, identifies four features that are essential to realising the right to education. They are known as the 4As. They are summarised as follows:

- **Availability** – education must be free, and there must be a sufficient number of educational institutions and trained teachers, as well as education materials, so that education is available to all;

- **Accessibility** – the institutions and programmes must be:
 - Accessible to all, without discrimination, including marginalised groups;
 - Physically accessible within a safe and reasonable distance and accessible to those with disabilities; and
 - Accessible in terms of cost: primary education must be free for all, whereas secondary and higher education must be affordable and progressively made free;
- **Acceptability** – the content of education and the way it is delivered, must be relevant, acceptable for all, including minorities, and of good quality; and
- **Adaptability** – education must be flexible and able to respond to the needs of students in different social and cultural settings. This includes those with learning difficulties as well as > gifted children.



In addition, States must ensure, with regard to each of the 4As, that “the best interests of the student shall be a primary consideration”.¹⁵

The 4As are interlinked. For example, a girl who has recovered from a serious illness will need to attend a school quite close to her home (availability and accessibility). She would also need a school that would help her to catch up by providing extra lessons (acceptability and adaptability).

1.2.4 Main violations of the right to education

Violations occur when a government, either deliberately or through neglect, fails to carry out its human rights obligations, for example by:

- Failing to make primary education free and compulsory for all children of primary school age;
- Not taking deliberate, concrete and targeted steps towards providing secondary, vocational and higher education (see the Main Book, Part I, Section 4.2, Table 5);
- Providing schools and education services for privileged sections of the population and not prioritising those with no or little access;
- Not ensuring that private educational institutions conform to minimum educational standards;
- Ignoring the need to increase the enrolment of girls;
- Not providing schools with enough textbooks and other necessary supplies;
- Failing to provide good training for teachers or to pay them adequate salaries;
- Making no effort to ensure that literacy programmes are available to illiterate people;
- Doing nothing to ensure that secondary and higher education is affordable;
- Failing to provide technical and vocational education for people who need to improve their work skills; or
- Allowing discrimination, for example by excluding children who cannot produce a birth certificate.

State obligations on the right to education are described in Section 2.1.

Box 5: Early childhood learning

The first goal of the Dakar Framework for Action refers to early childhood care and education (ECCE).

Research has shown that learning occurs faster in the early years than at any other time. Investment in good quality ECCE has been shown to have great benefits in terms of further education, health and economic productivity.

ECCE is for children in the period before they enter primary school (> pre-school). It provides learning activities, including > pre-reading, counting and shape recognition. It also contributes to children's physical, social and emotional development. While at pre-school, children should receive nutritious meals and health care. The New Economic Partnership for Africa's Development (NEPAD) has admitted that ECCE is inadequate in Africa.

Sources: NEPAD *Annual Report on Education and Training*, 2009. Available online:

www.nepad.org/system/files/NEW_NEPAD_AR_LR_FINAL_ENGLISH.pdf

UNICEF, *Report Card 8: The Childcare Transition A League Table on Early Childhood Education and Care in Advanced Countries*. Available online: www.unicef.org/media/media_46814.html

1.3 The right to universal, free and compulsory primary education

1.3.1 The basics about universal, free and compulsory primary education

basic info

“It is estimated that 40 million children of primary school age are out of school in Sub-Saharan Africa [and] that the region has one of the lowest primary school enrolment rates and lags behind in youth literacy.”¹⁶

Most of these out of school children live in rural areas with very little infrastructure or services. Many have been displaced or are nomadic. Yet all must go to school. Primary school education must be:

- **Universal:** it applies to every child of primary school age, so schools must be available and accessible;
- **Compulsory:** every child of primary school age must go to school – no one has a right to prevent them from doing so; and
- **Free:** primary education must be given at no cost to children or their parents – it must be economically accessible.

Primary education is the most important part of “basic” or “fundamental” education. Most countries provide six or seven years of primary schooling.

For more on basic or fundamental education see Section 1.6.

If a State is unable to make primary education free and compulsory immediately after becoming a party to the ICESCR it must, within two years, make a plan to do this and implement the plan within a reasonable number of years.¹⁷



1.3.2 More in-depth about universal, free and compulsory primary education in-depth info

Universal: Providing primary education to every child requires a heavy investment from the government. In practice, too little is invested. This leads to overcrowded classrooms, inadequate sanitation and other facilities, and few or poor-quality teaching materials, such as textbooks. The government’s action plan should identify sources of funding, including from general taxation and from the private sector. If necessary the government should seek international assistance.

Compulsory: Compulsory primary education helps to keep children from being forced into child labour and early marriage. Many children “drop out” of school before completing their primary education. Governments must take action to prevent drop-out.

Free: In some countries primary education is not free. School fees have different names - user charges, registration fees, school maintenance or development levies. Parents who cannot pay fees may be forced to keep all or some of their children out of school.

User fees: In the 1980s many governments, as a condition for receiving international loans, introduced “user fees”. As a result children living in poverty, particularly girls, were being kept out of school. In the 1990s governments, under pressure from NGOs and development agencies, began to abolish user fees in primary schools. But this along with population growth led to overcrowded classes. In some areas, particularly rural areas where it is harder to get teachers and in countries with a high population growth, class sizes can reach 100 or more.

In February 2010 Transparency International published a report showing that schools that do not receive adequate funding may try to make money in other ways, for example by charging “registration fees” and “exam fees”. There are also reports of embezzlement (theft) of funds before they reach local schools.

For more on user fees, see the Main Book, Part I, Section 5.5, Box 22.

1.4 The right to secondary, vocational and technical education

1.4.1 The basics about the right to secondary, vocational and technical education basic info

The aim of secondary education is to complete basic (or fundamental) education and set a solid foundation for further learning and development, including technical and vocational education (TVE), which prepares students for jobs in specific trades or professions after leaving school.

The duration of secondary education in Africa varies between four years (e.g. Somalia) and eight years (e.g. Ethiopia).¹⁸ Secondary schools usually provide Secondary School (or School

Leaving) Certificates after three or four years and Higher School Certificates after six or seven years.

According to Article 13 of the ICESCR, secondary education should be made “generally available and accessible to all”. This means that it should be available throughout the country on a fair basis. It should not, for example, be concentrated in one or two big cities. States are obliged to take steps towards making secondary education free.

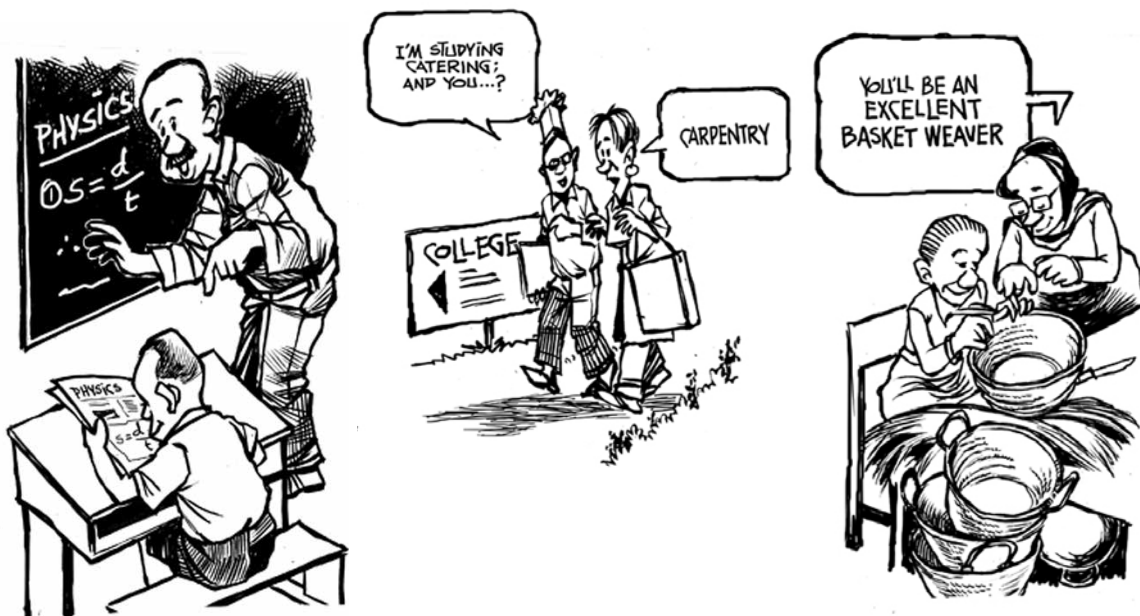
Making secondary education accessible to all means not excluding people on grounds of ability, national or social origin or other factors.

1.4.2 More in-depth about the right to secondary, vocational and technical education

in-depth info

In order to fulfil different needs and abilities, secondary education has to be flexible and adaptable. It must provide different courses to choose from so that people with different abilities can find out where their talents lie and begin to study for their future job or career.

It must also provide learning environments and teaching methods that suit students from different social or cultural backgrounds, ages, and different intellectual capacities.



Secondary education may be delivered by different > providers, such as State schools, independent schools, or religious schools. It may be delivered in different ways, for example through more informal methods of teaching or through > distance learning provided electronically as proposed by the NEPAD e-Schools Initiative.¹⁹ All types of schools and ways of learning should meet minimum standards set by the State.

Secondary education is not only for students in secondary schools. It must also be available to adults in the community, or in colleges or other institutions, including prisons. It should be available to people who wish to change their jobs or those wanting to learn new skills or technologies.

It should also teach skills such as:

- Critical thinking and self-expression;
- Developing personal goals;
- Team-work, decision-making, problem-solving; and
- Contributing to a more peaceful society.

TVE is part of secondary education. It is also linked to the right to work. Its aim is to help a person to achieve “steady economic, social and cultural development and full and productive employment”.²⁰

- **Technical education** covers “the arts and sciences that underlie the practice of some trade or profession”.²¹ For example, a construction worker may need to understand the mathematics necessary for building a curved wall. People who prepare meals or sell food items must know about nutrition, hygiene and food labelling (see the booklet on the Right to Food). A career in tourism may require knowledge of foreign languages.
- **Vocational education** focuses on different trades or occupations. It includes technical education and provides additional knowledge and skills that will turn the technical training into a career, for example by providing knowledge about finance and business management, or dealing with colleagues and customers.

1.5 The right to higher education

1.5.1 The basics about the right to higher education

basic info

Higher education is also called tertiary or third-level education. It is mostly delivered by universities, but also by specific colleges. Students learn more theoretical knowledge about specific subjects and are awarded degrees such as Bachelors or Masters degrees or Doctorates.

While primary, secondary and basic education should be available to everyone, higher education should be available on the basis of capacity – students must take examinations to qualify for a place in higher education.

States should take progressive steps to ensure that higher education:

- Is flexible and delivered in different forms;
- Includes technical and vocational education; and
- Becomes more economically accessible and eventually free of charge.

All forms of higher education should meet the requirements of the 4As.

1.5.2 More in-depth about the right to higher education

in-depth info

The AU's Action plan (2006-2015) has identified priorities for higher education including:

- The promotion of > original research;
- The promotion of quality in higher education;
- Increased funding of the higher education sector;
- Increased academic freedom, public accountability and stakeholder participation;
- The building of partnerships with other institutions and organisations; and
- Increasing the number of girls and women studying science and technology.²²

Box 6: Academic freedom

Academics, like everyone else, have the right to express their opinions. Universities should be free to develop their curriculum and to appoint teachers. Students should be free to decide what to study and to publish their research findings. In South Africa, in 2010, scholars said that government regulations and funding organisations were undermining academic freedom. In Malawi, in 2011, lecturers went on strike claiming that their academic freedoms were being undermined when the police questioned a lecturer who had referred in class to the pro-democracy uprisings in North Africa.

Sources: *South Africa: Academy defends academic freedom*, Munyaradzi Makoni, 11 April 2010, Issue No. 51. Available online:

<http://www.universityworldnews.com/article.php?story=20100409205351824>

Pambazuka News: *Malawi – Beyond Country's Academic Freedom Debate*, 13 October 2011.

Available online: <http://allafrica.com/stories/201110140901.html>

1.6 The right to basic education including adult education and literacy

1.6.1 The basics about the right to basic education including adult education and literacy

basic info

“Basic education” and “fundamental education” mean the same thing. “Fundamental education” is the term used in Article 13 of the ICESCR. “Basic education” is the term used in the World Declaration on Education For All, in the Africa Plan of Action and the Kigali Call for Action (see Box 7). However, some national education policies use the term “fundamental”. In this booklet, from here on, we use “basic” education, except when quoting other sources.

Basic education is for all people, whatever their age, who have never received, or who have not completed, primary education. It is also for everyone who has not yet satisfied their basic learning needs. It is for > “life-long learning” – so that people can develop new interests and acquire different skills as they go through life.

In many African countries, less than 1% of the budget goes to basic education and adult literacy. Exceptions include Nigeria (2.43%), Mozambique (5.6%) and Botswana (8.71%).²³ Basic education includes both formal and non-formal activities including:

- Adult literacy, > numeracy and problem solving;
- Equivalency schooling (or second chance education). This is for children and youth who have not been to school or who have dropped out of school. It covers the learning they have missed and prepares them either to return to school or to start a job;
- Life skills training gives people knowledge and skills to improve their lives and contribute to society. Topics include training in how to think logically (to plan, remember, prioritise, solve problems) and how to stay healthy (hygiene, HIV/AIDS prevention etc.); and
- Skills that lead to jobs or to self-employment.

Box 7: Basic education in Africa

The Basic Education in Africa Programme (BEAP) was developed after a series of conferences on education in Africa. It aims to include people previously excluded by poverty, gender and geography and to adapt education policies and educational opportunities to the changing needs of learners in Africa.

According to the BEAP, basic education would last for at least nine years. Before this, children would spend one or two years in pre-school or kindergarten. Basic education would include some aspects of junior secondary education and provide young people with skills and competencies that would prepare them for work. This could be followed by four years of further schooling.

Following a Regional Workshop on Extending Fundamental Education in Africa held in Kigali in August 2007, participants endorsed the “Kigali Call for Action”. This calls on NGOs to inform people about the plan and to “reinforce the relationship between schools and communities, support non-formal education and create synergies (links) between formal and non-formal education”.

Equatorial Guinea was the first African country to produce a National Plan for Education for All for the period 2002-2015. The plan gave priority to basic education and pre-school education as well as technical and vocational training in secondary schools. Girls’ education was also made a priority: it was hoped that this would discourage early marriage and pregnancies.

Sources:

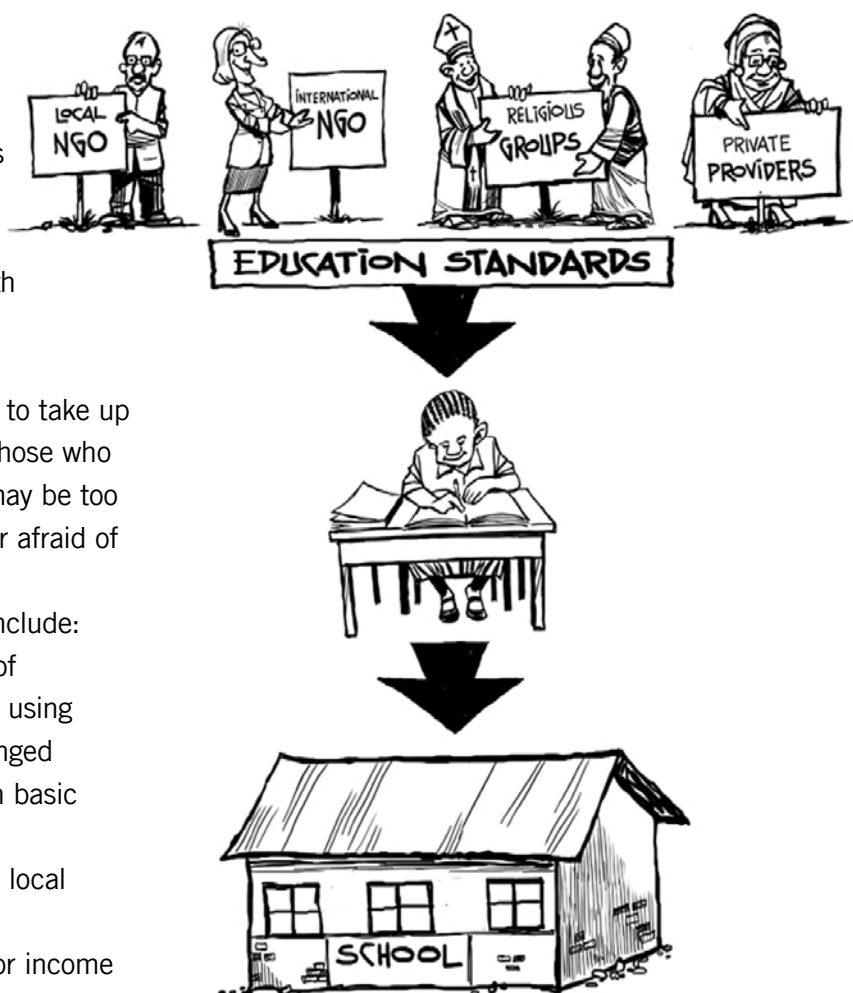
Fundamental education in Africa Programme Information Paper, 2008; Kigali Call for Action; and The Basic education Programme in Africa (BEAP) A Policy Paper. Available online at: www.ibe.unesco.org/fileadmin/user_upload/Publications/Thematic_studies/BEAP_policy_paper_09_en.pdf
IRIN, Equatorial Guinea: Basic education plan ratified, Available online: www.irinnews.org/Report.aspx?ReportID=34795. Search the internet for the above documents.

1.6.2 More in-depth about the right to basic education including adult education and literacy

Basic education includes initiatives such as:

- > Open and distance learning, which is usually given through media such as the Internet, radio or television;
- Community learning resource centres where people can find books and a place to study (see Box 2);
- Community-based education programmes where adults learn through discussing their problems and finding ways to solve them; and
- Adult literacy and numeracy courses.

For the realisation of these initiatives a clear plan, with quality education standards and an accountability mechanism, is essential. Providers should comply with these standards.



Some people are reluctant to take up education opportunities. Those who struggle to make a living may be too busy or too tired to learn or afraid of showing ignorance.

Ways to encourage them include:

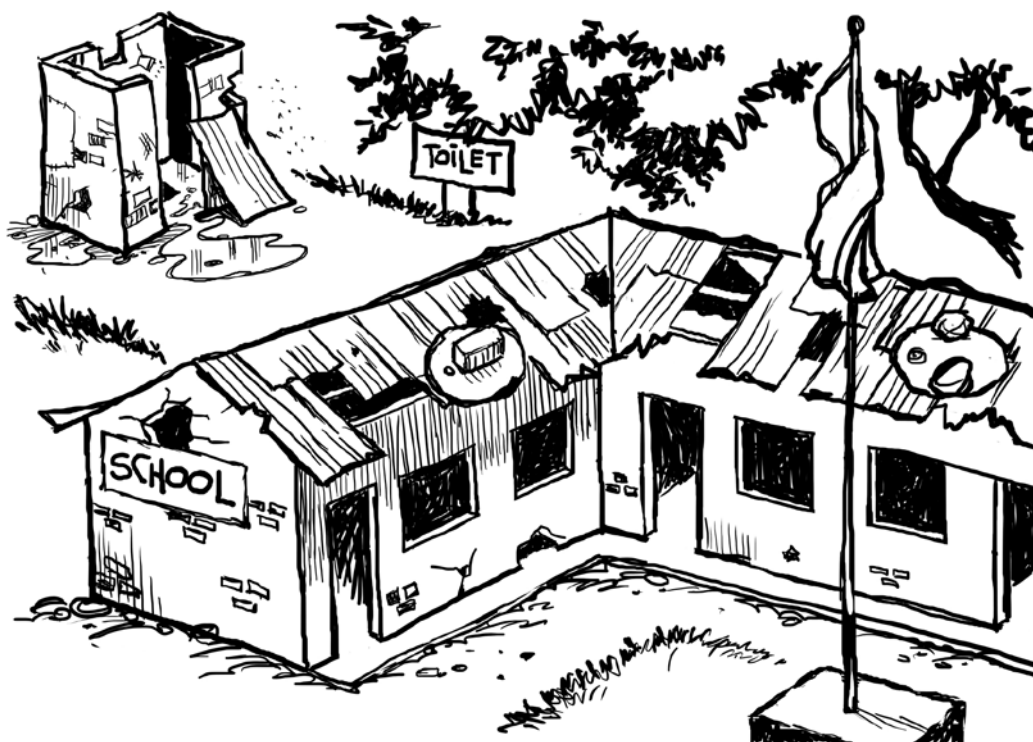
- Showing the benefits of education, particularly using trainers who have changed their own lives through basic education;
- Providing education in local languages; and
- Focusing on training for income generation.

Basic education includes literacy. The Dakar Framework for Action, Section 7 (iv) aims at a 50% improvement in adult literacy by 2015, especially for women.

1.7 The right to adequate school infrastructure

School infrastructure includes buildings and other facilities. Schools should have:

- A classroom for each grade or batch of students;
- Buildings of good quality that are able to withstand local risks such as fire or flood;
- Separate and safe sanitation facilities for girls and boys and for teachers; and
- Educational materials including desks, textbooks, writing materials, blackboards and sports facilities and equipment.



A primary school may also have:

- An assembly area where the whole school can meet;
- A canteen where school meals are served;
- A library; and
- A staff-room for teachers.

Secondary schools may also have:

- A science laboratory and science equipment;
- Workshops for technical education; and
- Information technology (IT) facilities.

It is essential that the school infrastructure should meet the needs of:

- People (students, teachers and the wider community) and the
- Programme (subjects and teaching methods).

For more information on infrastructure, see Section 3.7.

While infrastructure is a government obligation, there are examples of communities working with government officials to build their own structures.

1.8 The right to good quality teaching

1.8.1 The basics about the right to good quality teaching

"Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs", according to CRC General Comment No. 1. Many global, regional and national plans were made to improve the quality of education.

In 2006 it was estimated that, to meet the MDG education goals, Sub-Saharan Africa needed another four million teachers.²⁴

One of the goals of the AU Plan of Action (2006-2015) was to raise educational achievement significantly and to focus, among other things, on teacher training and development. This is achieved by:

- Increasing the number of teachers;
- Improving the competence of teachers;
- Enhancing school leadership;
- Addressing teacher welfare; and
- Research in pedagogy (the art or profession of teaching) and training.

basic info

MDGs are Millennium Development Goals - see the Main Book, Part I, 6.3. Goal 2 is to achieve universal primary education.

Box 8: Quality in education in Uganda

A member of Uganda's parliament was worried about poor standards of education in government-aided schools in Kampala. The minister of education confirmed that standards had dropped and announced that steps were being taken to improve them. These included the abolition of > corporal punishment, improvement of school inspection, an increase in teachers' salaries and the setting of performance targets for head teachers.

Source: Parliament of Uganda. *Parliamentary Information Summary – Plenary* Vol. 02, Issue No. 27, March 30 – April 03, 2009

1.8.2 More in-depth about the right to quality teaching

Many teachers in Africa resign because of low pay and poor conditions, including lack of decent accommodation. Some leave because they are poorly trained and therefore do not enjoy their job. Others leave because their qualifications allow them to find better-paid jobs.



The AU Plan of Action (2006-2015) recognised that the solution was not just employing more teachers, but also trying to stop teachers from resigning. This would involve:

- Improving teacher training;
- Encouraging teachers to obtain further qualifications, including through distance learning;
- Improving teaching skills, including skills in using information and communication technologies (ICT);
- Providing teachers with more stability in their posts, greater job satisfaction and better salaries; and
- Improving the gender balance of teachers.

Teachers are workers. Articles 6 and 7 of the ICESCR include the rights of workers to:

- Technical and vocational guidance and training programmes;
- Fair wages and equal pay for equal work;
- A decent living for themselves and their families;
- Safe and healthy working conditions;
- Equal opportunities for promotion; and
- Rest and leisure.

Article 13 of the ICESCR adds the rights of teachers to:

- Life-long learning and to develop their knowledge and teaching skills;
- Continually improving material conditions; and
- Domestically competitive salaries (pay that is similar to that received by people in other professions with a similar level of qualifications).

To ensure quality education, the education authorities must set up a well qualified > inspectorate. For more on this see Section 2.2.1.

1.9 The right to a safe and non-violent environment

1.9.1 The basics about the right to a safe and non-violent environment

basic info

A safe environment: students should be safe on their way to school and in school. Schools should have clear policies to prevent > bullying and an effective system for victims to report abuse or violence in confidence. Teachers who abuse children should be prosecuted (see Box 18).

A non-violent environment: the CRC says that States must protect children from all forms of physical or mental violence, injury or abuse, and that children must not be exploited, for example through doing out-of-school jobs for a teacher or through sexual abuse. This applies to parents, teachers or anyone else taking care of a child.²⁵

The CRC, in its General Comment No. 8 (2006)²⁶ calls on States to move quickly to prohibit and eliminate all corporal punishment. The CRC adds that abolishing corporal punishment in the family, schools and other settings is also “a key strategy for reducing and preventing all forms of violence in societies”.

1.9.2 More in-depth about the right to a safe and non-violent environment

in-depth info

One of the aims of the AU Action Plan 2006-2015 is to reduce the number of out of school children and youth.

Violence is a major cause of non-attendance – it includes physical and sexual violence from teachers and bullying by other children.

Dealing with violence in schools requires changes of attitude and behaviour inside the school and protection from violence coming from outside the school.

Box 9: Violence in South African schools

In South Africa, violence in schools is linked to problems of high unemployment, continuing racism and easy access to guns. In March 2008, the South African Human Rights Commission published a report showing that over 40% of children interviewed had experienced some form of crime including sexual assault. A spokesperson at a children's hospital told the Commission that it had treated students for assault with fists and knives and injuries from firearms. Victims were people regarded as being weak or different.

Source: *SA kids play "rape me"*.

Available online: www.news24.com/SouthAfrica/News/SA-kids-play-rape-me-20080312

Within the school it is necessary to:

- Set rules for good behaviour;
- Have a system for recording and dealing with reports of violence;
- Promote human rights, gender equality and democratic values and encourage respect for others; and
- Train teachers in dealing with violence.

Violence from outside can be reduced by:

- Stopping pupils from bringing weapons into the school; and
- Involving police and parents in programmes to improve school safety.²⁷

The International NGO, PLAN, has launched a campaign to end violence in schools. Section 4 of their report "*Learn without Fear*" is about ways to reduce school violence.²⁸

The United Nations World Programme for Human Rights Education suggests ways to create a rights-based school, including a code of conduct to prevent violence and sexual harassment.

1.10 The right to a relevant education

1.10.1 The basics about the right to a relevant education

basic info

Education must be relevant to the needs of the students. It should also be relevant to the cultural, environmental, economic and social context in which they live.

The curriculum is a plan that sets out the State's programme for a relevant education. It covers all the learning which is to be carried out by the school. It includes:

- What teachers are expected to teach;
- What each student is expected to learn; and
- The achievement standards.

There may be separate bodies within the Ministry of Education to oversee curriculum development and examinations.

1.10.2 More in-depth about a relevant education

in-depth info

According to CESCR General Comment No. 13, paragraph 6, the curriculum and teaching methods must be acceptable. This means they must be relevant to the students' needs, culturally appropriate and of good quality. The curriculum has to be flexible so that it can adapt to changing needs.

It is the duty of the inspector of schools to see that schools are following the curriculum and that the teaching is relevant to the needs of the students.

The African Child Charter, Article 11 (3), calls for a relevant education and for “special measures” in respect of “female, gifted and disadvantaged children”. These three groups are often not given the special attention they need, including extra tuition.

Participatory teaching methods are key to a relevant education. Participatory methods mean that:

- Learning by doing is much more effective than learning by listening alone. Participatory teaching methods allow students to discover ideas or facts for themselves. This is sometimes called > experiential learning – learning from experience;
- Children learn from their teachers and from their parents. Parents should be encouraged to participate in their children's education by giving them opportunities to learn outside school hours, for example by taking them to visit a place of interest or teaching them how to behave well and respect others; and
- In basic education for adults, it is important to apply experiential learning. Adults learn best when they analyse and reflect on their own experience, when they understand how they can use the new knowledge immediately.

Box 10: Gender and the curriculum

A relevant curriculum must offer equal opportunities to both sexes. Girls are often expected to take subjects like home economics rather than mathematics, science and technology. This restricts their career opportunities. Increasing girls' access to these subjects is one of the objectives of the AU Action Plan 2006-2015.

> continued

The curriculum should also encourage positive gender attitudes and behaviours. Textbooks that glorify the actions of men and boys while neglecting the contribution of women and girls should be avoided. Teachers should pay equal attention to girls and boys in the classroom.

About 5% of children in the world are said to be “gifted “because of their outstanding abilities and high levels of performance. These children need special attention so that they can develop to their utmost potential, both for themselves and for their countries. Similarly, disadvantaged children should get education that is relevant to their needs.

1.11 The right to transparent and accountable schools

1.11.1 The basics about the right to transparent and accountable schools

basic info

Transparency, accountability and participation are different but interlinked concepts.

Transparency

Parents, students and the community should be able to know what is being taught and how. Transparency is achieved through providing access to information about the school including the curriculum, school rules, examination results and inspection reports.

Accountability

To be accountable, schools must have transparent and effective systems for monitoring and for holding teachers and other staff responsible for their actions.

Most schools have a board of governors or > school board which gives direction and leadership to the head teacher and ensures that the school’s resources are properly spent. Parents can also raise concerns or complaints through > parent associations. These are groups of parents who support the school that their children attend.

The education authorities must also have systems to hold head teachers and other officials accountable.

Some schools, especially secondary and higher, also have > student councils, where students can make their views known.

Participation of parents

Many parents, some of whom may be illiterate, do not have the time or confidence to participate in their children’s education. CBOs can help by giving them support and guidance.

Information about school boards and parent associations is given in Section 3, Boxes 31 and 32.

Participation includes:

- Joining the parent association (or parent-teacher association) and taking part in its activities (see Box 32);
- Participating in the development of the curriculum and the school's disciplinary policies;
- Monitoring the budget and ensuring that funding is properly spent. (This is the function of the school board. See Box 31);
- Helping to arrange school functions or run extra-curricular activities (those not on the learning curriculum) such as sports competitions or fund-raising activities; and
- Alerting the school or the local education authorities to any violations of the right to education.



Participation of children/students

Students also have a right to participate in decisions about their education. Some schools have student councils with council members elected by the students.

Students should be encouraged to discuss developments in the school and give their views to the head teacher.

Some student councils include a representative of each grade. Different groups of students, girls, boys, disabled children and those from minority groups, should be encouraged to raise issues that affect them.

Box 11: Community participation in primary school education

CEFORD (Community Empowerment for Rural Development), an NGO operating in Uganda's West Nile region, saw the need for improving school governance, the quality of teaching and community participation. Education stakeholder meetings are held every term. They involve parents, teachers, pupils, School Management Committees (SMC), Parent Teacher Associations (PTA), local leaders, sub-county leaders and district officials from education departments. The Chairperson of the SMC chairs the meetings.

An agenda for discussion is adopted, for example children's performance in school. During the discussions, opportunities are given to all participants, including pupils, to present their views. The issues are fully discussed and then identified as school-based, home-based or community-based factors. Action points are then developed to address the problems and roles and responsibilities are assigned to the different stakeholders: teachers, pupils, parents and local leaders. Volunteer Education Monitoring Teams (VEMT) are formed to follow up on the action points, especially at the school level, and provide feedback in the next stakeholder meeting.

Some of the action points assigned to the sub-county authorities were considered, for example to address the problem of children who gathered at trading centres instead of attending school, and regular school monitoring to check on teaching and learning in school.

Source: CEFORD reports, compiled by Asipkwe Jean Christabel – CEFORD, see also *CEFORD Consolidated Annual Report 2011*

1.11.2 More in-depth about the right to transparent and accountable schools in-depth info

The right to be heard: The CRC, Article 12, provides the right of children to express their views on all matters affecting them and to have these views heard. Therefore, school children have the right to:

- Give their opinion about their schooling, for example about the decision-making processes concerning studying in general and everyday school life;
- Participate in the way the school is run, for example through student councils;
- Express their views on the development of school policies and codes of behaviour; and
- Both children and their parents should have a right to be heard if they feel that their rights are not being respected, particularly in matters of discipline. Parents or their children should be able to meet the head teacher or school board to discuss problems, for example if the child has been excluded from school or suffered discrimination or violence. As a last resort, they should be able to take the matter to a court.

1.12 Vulnerable and marginalised groups and the right to education

This section focuses on the following groups:

- Girls and women;
- Orphans and vulnerable children;
- People living in rural or other remote areas;
- Cultural and ethnic minorities, nomads and indigenous peoples;
- Persons with disabilities;
- Migrant workers, refugees and asylum seekers; and
- People in situations of emergency and/or armed conflict.

According to Article 13 of the ICESCR, “education must be accessible to all, especially the most vulnerable groups, in law and fact”.

States have an immediate obligation to prohibit discrimination and take steps to end it. They should identify groups that are being discriminated and who is doing the discrimination – the laws, schools, students, parents, and communities or community leaders are all possible sources of discrimination.

Further information about vulnerable and marginalised groups and the obligation to end discrimination may be found in the Main Book, Part I, Sections 4.3 and 4.4.

1.12.1 Girls and women

Most sources say that the percentage of girls entering and completing primary school is lower than the percentage of boys. Many girls leave education after primary or secondary education: very few go on to higher or university education.

According to the Education for All Global Monitoring Report 2008, several countries in Sub-Saharan Africa had made rapid progress towards gender parity (equal numbers of girls and boys) at the primary level, including Burkina Faso, Ethiopia, Mozambique, Tanzania, and Zambia.

Realising girls’ and women’s right to education is urgent for their own sake and for the development of the continent. Educated mothers are more able to give their children better nutrition, better health care and more chance of doing well in school. Research has also shown that where girls have access to education, poverty and population growth are reduced and natural resources are managed better.²⁹

Girls and boys have a right to sex education and States must remove social and legal barriers to information on sexual and reproductive health and health care.³⁰

There are many factors that prevent girls and women from receiving education. Some of these include:

- **Early marriage:** Some societies consider that girls do not need education and that it is more important to keep them as invaluable household workers and find good husbands to look after them. This violates their right to education;
- **Work:** Girls are often prevented from attending school in order to help mothers with household chores and raise other children or to work to supplement the family income;
- **Early pregnancies:** Girls are likely to be forced into sexual activity when their bodies are not ready for this. Pregnant girls are often not allowed access to schools;
- **Forced marriage:** Article 6 (a) of the Africa Women’s Protocol states: “no marriage shall take place without the free and full consent of both parties”. “Both parties” means the full consent of the people getting married, not the families or parents. Payment for a wife and forced marriage reinforce women’s subordination to men. Girls forced into marriage are mostly kept out of school; and
- **Other factors:** Many girls stay away from school because of health and safety issues like gender-based violence and a lack of clean and separate toilet facilities. Some parents cannot afford to send all their children to school and give preference to their sons.

For more information on early marriage and early pregnancies, see the Haki Zetu booklet on the Right to Health, Section 1.5.



Box 12: Girls' education in Liberia

In Liberia, boys far outnumber girls in schools. In the belief that girls' education was the "cornerstone" of the country's development, president Sirleaf launched a National Policy on Girls' Education in April 2006. However, progress was slow.

A Minister of Education appointed in May 2010 said he would lobby the national legislature to increase the education budget.

Female education was listed as a priority in the government's 2010 Education Sector Plan. Efforts to attract girls into education include extra food rations, female-only study classes and free books and uniforms.

Sources: Bonnie Allen, IPS, *Universal Education an Empty Promise for Liberia's Girls*, 26 May 2010. Available online: <http://ipsnews.net/news.asp?idnews=51596>

Nat Bayjay, allAfrica.com. *Liberia: Something New for the Senior Class: Girls*, 1 September 2010. Available online: <http://allafrica.com/stories/201009010008.html>

1.12.2 Orphans and other vulnerable children

Conflict, HIV/AIDS and poverty keep many children out of school:

- In areas of conflict, children are orphaned or become child-soldiers;
- Many children have lost one or both parents owing to HIV/AIDS; and
- Some children are kept at home to work and supplement the family income. Many orphans and other vulnerable children do not go to school.

1.12.3 People living in rural or other remote areas

In rural areas, the quality of education is often lower than in urban areas. This is known as the "rural-urban divide". In rural areas pupils may live far from the nearest school. If they have to walk all the way they are tired when they reach school. Some routes may expose students, particularly girls, to danger. States can help to solve these problems by improving roads and providing public transport.

Rural schools tend to be short of teachers and teaching materials. Faced with this problem, some schools use "multi-grade teaching" where a teacher works with two or more grade levels at the same time and in the same classroom. In many areas this has been a temporary measure but, in principle, multi-grade teaching should not be a long-term solution. States must take steps towards providing a good quality education for everyone, regardless of where they live.

Box 13: The rural-urban divide in Ghana

The Ghana National Education Campaign Coalition (GNECC) commissioned research into the rural-urban divide and its effects on quality education. It found that in the Greater Accra area (the capital), 70% of students received a Basic Education Certificate, while the pass rate in the three northern regions was only 43%. The research also found that rural schools lacked qualified teachers and adequate teaching materials and they were not properly supervised. The GNECC called on the government to do more to address the rural-urban divide, including by providing housing for teachers.

Source: Ibis. *Action week exposes disparities in education*. Available online: http://ibiswestafrica.com/nv/news/ACTION_WEEK_EXPOSES_DISPARITIES_IN_EDUCATION.php

1.12.4 Cultural and ethnic minorities, nomads and indigenous peoples

The education system can undermine the education of minorities and indigenous peoples, particularly if their habits, customs and languages are not respected in the education system. For example, nomadic children may spend their early years herding cattle and are then regarded as too old to start school.

Some education authorities have found ways to provide good quality education to these groups.

Box 14: Nomad schools

In parts of Mali, children do not travel to school. The teacher comes to them, bringing school equipment in a small truck. The school is set up in a tent. Desks and chairs are made out of five pieces of plywood that can be assembled on arrival. No tools are needed.

In Kenya, nomad children learn in shifts. One group of children learns in the morning while the other children look after the animals or do other tasks. In the afternoon they change places. In some places, like eastern Ethiopia, nomad children are taught in boarding schools.

Sources: Open Architecture Network. Nomad school. Available online:

<http://openarchitecturenetwork.org/projects/4720>

SOS Children's villages. Mobile schools for Kenya's nomad children. Available online:

www.soschildrensvillages.org.uk/charity-news/archive/2010/03/mobile-schools-for-kenya2019s-nomad-children

Hope for the Horn, Bannano Boarding School, Ethiopia. Available online: www.hfh.org.et

States are obliged to provide education for everyone, including minorities. Steps towards this goal include:

- Teaching non-minority groups about the cultures of minority groups and indigenous peoples;
- Promoting learning and literacy in the languages these people speak;
- Developing formal and non-formal learning methods including the use of new information technologies; and
- Bringing schooling to nomadic people.

The United Nations Educational, Social and Cultural Organisation (UNESCO) Convention against Discrimination in Education includes the rights of minorities to “carry on their own educational activities, including the maintenance of schools” – but this should not prevent minorities from understanding the culture and language of the larger community.



1.12.5 Persons with disabilities

People with disabilities include the deaf and blind, people who use crutches or wheel chairs, those with mental disabilities and those with illnesses such as HIV/AIDS that make it difficult to learn. Education systems should make provision for these people to attend schools.

This might involve making adjustments to school buildings, for example widening doors for wheel chairs. It may also involve special teaching, for example through sign language, and providing specialist staff to deal with learning difficulties such as > dyslexia.

Discrimination against persons with disabilities occurs because of:

- Lack of knowledge and understanding about disabilities;
- Prejudice against people who are “different”;
- Facilities that are not built with regard to the needs of people with disabilities; and
- Lack of appropriately trained staff.

In Southern Africa there are programmes of community-based rehabilitation which involve disabled people, parents, teachers and the community. These are based on a practical curriculum which is inclusive and relevant to the needs of disabled children.³¹

1.12.6 Migrant workers, refugees and asylum seekers

States have an obligation to provide refugees, asylum-seekers and migrants with free basic education and ensure that they have equal opportunities to enter secondary and higher education. They must act on the principle of the best interests of the child. Foreign nationals must have the same access to education as nationals of the country.³²

Child migrants, refugees, and internally displaced people (IDPs) are particularly vulnerable to exploitation including through forced labour, forced prostitution, the drugs trade or sexual abuse. Their right to education helps to protect them from such treatment.

The presence of different ethnic or cultural groups in schools and other educational institutions should be regarded as a positive thing. It is an opportunity to promote understanding and tolerance. Unfortunately, refugees and migrants are often the target of resentment and ill-treatment.

When schools receive large numbers of refugees and migrants of different languages and cultures this can affect the quality of education. It may be necessary to involve international NGOs or donor governments. Refugees and migrants have a right to be taught in their own language and to learn the language of the host country.³³

The education of children in refugee camps should prepare them for the future, in the host country or elsewhere. Programmes could include child care, health education and conflict resolution.

1.12.7 People in situations of emergency and/or armed conflict

States are obliged, as far as possible, to provide education to children in areas of armed conflict and in situations of emergency. Children in conflict zones can become traumatised and schools can provide counselling and other forms of support.

Schools in conflict zones may be deliberately or accidentally attacked, and school infrastructure may be damaged after natural disasters or conflict. They have to be prepared to move, close or adapt to the situation. The Inter-agency Network for Education in Emergencies (www.ineesite.org) has prepared the Minimum Standards Handbook for education in emergencies. It has a strong focus on rights. The UN has also developed a Teacher's Emergency Pack in various languages for such situations.

2 Preparing to take action

This section describes what needs to be done before taking action to realise the right to education. These tasks reflect the basic principles of the human rights-based approach to development, or HRBA (see the Main Book, Part I, Section 6.4). Central to this approach is an understanding of what human rights are and the obligations that governments have to respect, protect, and fulfil these rights.

This section describes the following:

- Identifying government obligations to realise the right to education;
- The right to education in national laws and policies; and
- Enforcing the right to education.

2.1 Identifying government obligations to realise the right to education

Governments that have formally agreed to implement international human rights treaties have the obligation to respect, protect and fulfil the right to education including by making education available, accessible, acceptable and adaptable. Working on the right to education involves monitoring how governments adhere to these obligations.

A detailed explanation of the obligations to respect, protect and fulfil is given in the Main Book, Part I, Section 4.1.

The obligation to respect means that governments must:

- Refrain from any action, such as unnecessarily closing a school, that prevents the enjoyment of the right to education;
- Allow private schools to open and ensure that they conform to human rights standards relating to education; and
- Recognise the rights of parents, teachers and learners in education, including their rights to question and challenge the school curriculum, textbooks, methods of instruction, and rules for school discipline or the way the rules are applied (freedom in education).

Under the obligation to protect, governments must:

- Ensure that families or others do not keep girls or children with disabilities out of school;
- Ensure that families are not dependent on child labour;
- Forbid and end discriminatory practices in State and private education institutions;

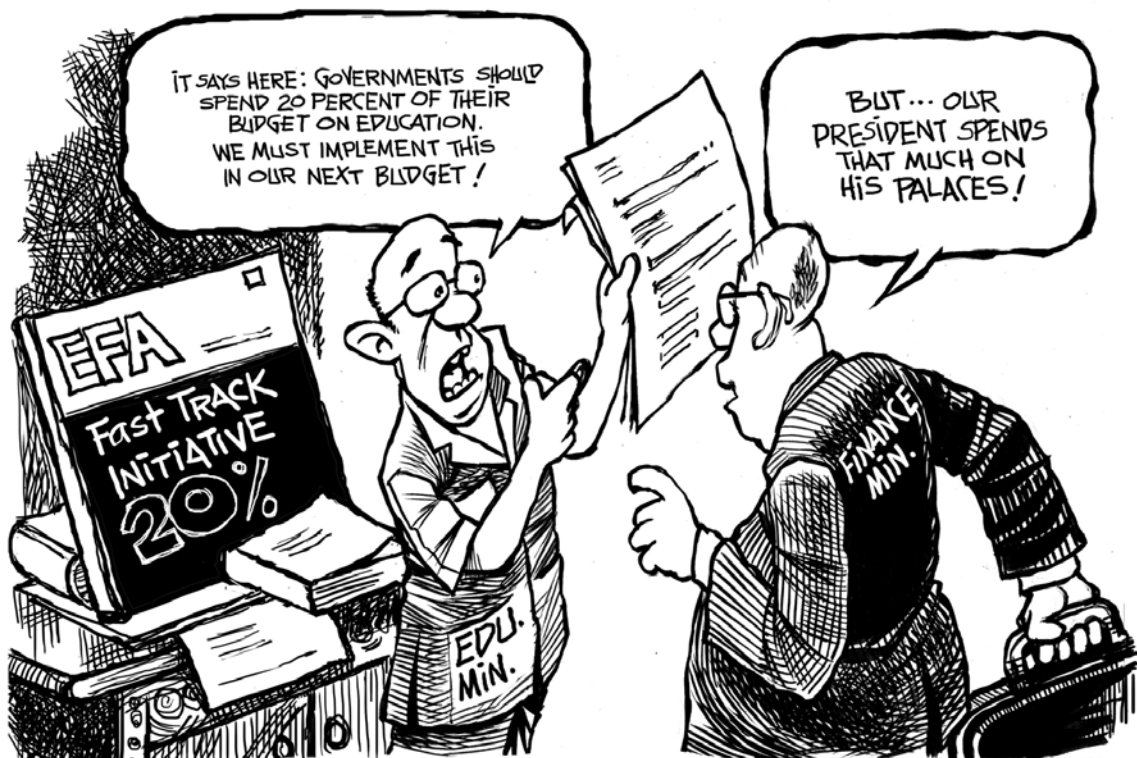
- Stop the use of corporal punishment in schools; and
- Ensure that education facilities, learners and teachers are protected from violence or intimidation.

The obligation to fulfil requires governments to:

- Take positive measures that enable individuals and communities to enjoy the right to education;
- Provide free and compulsory primary education for all;
- Make secondary and higher education affordable and take steps to make it free;
- Establish sufficient teacher training colleges, schools and other educational institutions;
- Hire trained and qualified teachers;
- Ensure that gender is taken into account in programmes and curricula;
- Enforce minimum standards of health and safety; and
- Allocate the maximum available resources to education.

The obligations to take steps and to use the maximum available resources:

These obligations are set out in the Main Book, Part I, Section 4.1, Table 5 (rows 1 and 4). The obligation to take steps is an immediate obligation and it requires States to make plans and pass any necessary laws. The State must then allocate the maximum possible resources for carrying out the plans progressively.



Box 15: State funding for education

In its 1996 report, *“Learning: The Treasure Within”* (Delors et al.), UNESCO suggested that governments should invest at least 6% of their > Gross National Product (GNP) in education.

In 2002 Education for All set up the Fast Track Initiative which recommended that governments should spend 20% of their national budget on education. However, in 2011 it was estimated that in Sub-Saharan Africa an average of 5% of the budget is spent on education. Most of this goes to university students.

While funding education is a problem, governments should manage existing resources properly. The NGO Transparency International found that “most schools do not keep complete or even basic information about school finances”, and that “many head teachers and those responsible for managing school budgets lack training in financial management”.

Sources: *Tool Kit on Education Financing 2009*, ActionAid, Education International, Global Campaign for Education.

Transparency International, *Unlocking potential through education*, 23 February 2010.

Available online: http://archive.transparency.org/news_room/in_focus/2010/african_education_watch

EFA Fast Track Initiative (now Global Partnership for Education). Available online: www.globalpartnership.org.

Education in Africa. Where does the money go? The Guardian, 27 April 2011, citing UNESCO report.

In addition to the obligations to respect, protect and fulfil the right to education, the State is obliged to eliminate all forms of discrimination. One example of discrimination in education is when some groups are given a lower standard of education than others. Another example is when women and girls are kept out of education.

Box 16: Discrimination against pregnant girls in Malawi

In many African countries, pregnant girls are dismissed from school. In 1993 Malawi introduced a re-admission policy to allow girls to return to school after giving birth. While this was a positive step it did not fully comply with human rights standards. Girls should not be dismissed simply because they are pregnant. They should be allowed to stay in education as long as possible before the birth.

Source: *Dixie Maluwa-Banda, Gender Sensitive Educational Policy and Practice: The Case of Malawi*, Background Paper prepared for the Education for All Global Monitoring Report, 2003.

Available online: <http://unesdoc.unesco.org/images/0014/001468/146804e.pdf>

2.2 The right to education in national laws and policies

The right to education is usually found in the country's constitution, in national laws and in policies and budgets developed to implement the laws.

Box 17: Examples of the right to education in national constitutions

As the following examples show, some constitutions provide strong guarantees of the right to education while others offer much less.

The Constitution of Tanzania, 1977, Article 11 (2) states: "Every person has the right to access education, and every citizen shall be free to pursue education in a field of his choice up to the highest level according to his merits and ability".

Article 11 is not a constitutional right. It is included in the section on Fundamental Objectives and Directive Principles of State Policy and cannot be enforced in a court. At the time of writing, Tanzania continued to use the 1977 Constitution, but set up a Constitutional Review Commission.³⁴

The Constitution of Ghana, 1992, Article 25 states:

"(1) All persons shall have the right to equal educational opportunities and facilities and with a view to achieving the full realisation of that right:

- (a) basic education shall be free, compulsory and available to all;
- (b) secondary education in its different forms, including technical and vocational education, shall be made generally available and accessible to all by every appropriate means, and in particular, by the progressive introduction of free education;
- (c) higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular, by progressive introduction of free education;
- (d) > functional literacy shall be encouraged or intensified as far as possible;
- (e) the development of a system of schools with adequate facilities at all levels shall be actively pursued;

(2) Every person shall have the right, at his own expense, to establish and maintain a private school or schools at all levels and of such categories and in accordance with such conditions as may be provided by law."



Places to look for legislation and policies on education include:

- The constitution. This may include a right to education. If not, it may include a reference to international instruments such as the UDHR or the African Charter. This shows that the State recognises the rights contained in these instruments³⁵;
- The website of the Ministry or Department of Education. This may contain the education policy or action plan. It may also give information about departments within the Ministry;
- Provincial or local governments or municipalities that have powers concerning the provision of education;
- Budget allocations for education;
- Parliamentary questions on education (see Box 8);
- Statements by government officials;
- The national statistics office may have the numbers of people in formal education³⁶;
- The Southern and Eastern Africa Consortium for Monitoring Educational Quality (SACMEQ); and
- The United Nations Children’s Fund (UNICEF) gives statistics on the numbers in primary school and literacy rates.³⁷

What to look for in education policies

Policies should take into account the elements of the right to education. These include:

- The purposes of education (see Section 1.2.1);
- Principles of equality and non-discrimination;
- The best interests of the child; and
- The 4As: availability, accessibility, acceptability and adaptability.

2.2.1 Enforcing the right to education at the national level

There are several institutions that monitor education. The body with a statutory (legal) duty to monitor primary and secondary schooling is the government school inspector. Inspectors at national and local levels have a set of guidelines of items to inspect. Within the school, the school board has an oversight role (see Section 1.11). Universities have their own governing bodies that oversee standards. These may be headed by a chancellor.

Complaints about the right to education may be taken to a human rights commission or > ombudsman office. Depending on the national legal system, courts may be able to judge cases of violations of the right to education.

After checking laws, it is useful to visit inspectorates, school boards and other governing bodies, human rights commissions and courts to investigate how they have enforced the right to education.

Box 18: Zambian teacher prosecuted

In February 2006, a teacher asked a 15-year-old girl known as R.M. to visit his house to collect some papers. The teacher then raped her. He threatened that if she complained she would be thrown out of school. R.M. did not report the rape until several weeks later, after she was treated for a sexually transmitted infection. The headmaster said that as the rape had taken place outside the school it was a “personal” matter.

R.M.'s aunt consulted a lawyer who brought a civil suit against the teacher, the school, the Zambian Ministry of Education and the Attorney General as legal advisor to the government. The lawyer did not charge for his services. On 30 June 2008 the High Court of Zambia awarded R.M. damages worth US\$ 14,000. The judge noted that the abuse amounted to “enduring psychological brutalization” and referred the case to the Director of Public Prosecution for possible criminal prosecution of the teacher. He also called on the Ministry of Education to issue regulations which would “stem such acts in the future”.

Source:

Equality Now, Women's Action 32.1, February 2009

Available online: www.equalitynow.org/take_action/zambia_action321

2.2.2 The role of non-State actors in providing education

It is the duty of every government to provide free, good quality public education. However, parents and guardians can choose to send their children to faith-based, private or other non-State schools.

Article 13 of the ICESCR includes the right of private bodies to set up educational institutions. Private education providers must conform to the educational objectives set out in article 13 (1) of the ICESCR. They must also meet minimum standards set by the State, for example on curricula and the recognition of certificates. The State must monitor these institutions to ensure that they obey the law.

Non-State providers include NGOs. Some international NGOs build schools, provide teaching materials and pay teachers' salaries. States often rely on NGOs to provide services that are not offered by the State, such as Early Childhood Care and Education and "fundamental (basic) education" – this is also known as "non-formal education" and "life-long learning".

According to General Comment No. 13, everyone has a right to fundamental education. This allows people to satisfy their "basic learning needs". It is for those who have not completed their primary education as well as for those who wish to acquire specific knowledge or skills, for example in order to get a job or to gain new skills or for personal enrichment, for example to learn to play a musical instrument.

Fundamental education should be available to all, whatever their age or gender. The curricula and the methods of providing education must be suitable for all students.

NGOs, even with the best intentions, can undermine the right to education. For example they may set up a school and then run out of funding, leaving children without an education. NGOs should not provide education that does not meet the government's quality standards. Nor should they give the government an excuse to avoid its responsibilities.

In order to work on the right to education, it is therefore necessary to check whether NGOs and private bodies comply with standards and sustainability requirements, and whether the State is monitoring that effectively.

2.3 The role of African human rights institutions

For further information about these bodies, please refer to the Main Book, Part II, Section 10.2. Through the links below and in the Appendices, one can consult relevant previous cases on the right to education.

2.3.1 The African Commission

The African Commission can be addressed when there are no options to make complaints to national courts or when attempts to complain have been unsuccessful. It has received various communications alleging a violation of Article 17 of the Charter on the right to education (see Appendix 1 for the Article).

The website
of the African
Commission is:
www.achpr.org

Box 19: The African Commission found a violation of the right to education in Zaire (now the Democratic Republic of Congo)

Between 1989 and 1993 the African Commission received communications from several organisations about human rights violations in Zaire against members of the Jehovah's Witness religion, including the denial of access to education. In March 1996 the Commission found that "The closures of university and secondary schools as described in Communication 100/93 constitute a violation of Article 17 [of the African Charter]"³⁸.

Source:

African Commission communication on case "*Free Legal Assistance Group, Lawyers' Committee for Human Rights, Union Interafricaine des Droits de l'Homme, Les Témoins de Jehovah / DRC*", available online at www.achpr.org/communications/decisions/25.89-47.90-56.91-100.93/

The African Commission can also encourage States to implement rights when it examines their periodic reports on what they have done to realise the rights in the Charter.

2.3.2 The African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

This committee oversees the way States implement the African Child Charter. ACERWC, which is based in the AU headquarters in Ethiopia, suffers from a lack of human and financial resources and its work is not widely known. Up to its 18th ordinary session in March 2012, it had examined 15 State reports.³⁹

The ACERWC's website is www.acerwc.org

2.3.3 The African Court on Human and Peoples' Rights and the regional courts

The African Court on Human and Peoples' Rights (African Court), when fully functional, will strengthen the protection of human rights in Africa and help the work of the African Commission. Unlike the African Commission, its decisions are binding on States Parties. CSOs can directly bring a case before the court if the State complained against has accepted that the court can hear the matter.

The African Court's website is www.african-court.org

At the time of writing, 26 African States had acknowledged the Court's jurisdiction.

Some regional courts can also take up human rights cases (see an example in Box 20).

Preparing to take action

Box 20: ECOWAS says that Nigerians do have a right to education

In November 2009, the ECOWAS Community Court of Justice in Abuja ruled that all Nigerians are entitled to education as a legal and human right. Before this, the Nigerian authorities had argued that education was not a right. In Nigeria's constitution, education is a "fundamental objective of state policy" but not a right.

The Socio-Economic Rights and Accountability Project (SERAP), a Nigerian NGO, filed a suit in the ECOWAS Court claiming that education should be made a legal right.

The Federal Government of Nigeria contested the suit but the Court ruled that Nigerians do have the right to education. This judgement sets an example for other countries in Africa.

Source: www.serap-nigeria.org

2.4 The role of the UN System

Information about the UN system and how to use it is described in the Main Book, Part I, Section 3.5 and Part II, 10.1.

Mr Kishore Singh, the UN Special Rapporteur on Education at the time of printing, has visited various countries to learn about progress in implementing the right to education, including during situations of emergency and armed conflict. He has promoted the development of legal frameworks for financing basic education.

The Special Rapporteur can receive information from NGOs.

For more information on making a communication to regional and international bodies, see the Main Book, Part II, Section 10.

The UN Special Rapporteur on the right to education's website is www.ohchr.org/EN/Issues/Education/SREducation/Pages/SREducationIndex.aspx

2.5 Identifying violations of the right to education

For more information on identifying human rights violations, see the Main Book, Part I, Section 4.6. Human rights violations take place when governments fail to respect, protect and fulfil rights because of:

- Unwillingness;
- Negligence; or
- Discrimination.

The following case study explains the process of analysing a situation in order to determine:

- Whether the government has failed to meet a specific obligation and, if so;
- Whether this amounts to a human rights violation.

Box 21: Case study: Identifying violations of the right to education

This case is fictitious (made up) but it is based on actual examples drawn from different sources. The aim is to challenge readers to test their ability to identify human rights violations. It may be used by individuals or groups.

Points to keep in mind:

- Some of the bullet points contain human rights violations;
- Others are about bad or problematic situations, but may not be human rights violations; and
- In some cases, more information is needed before a decision can be made.

To check your responses, consult the Main Book, Part I, Section 3.4, Table 3. Also Section 4.1 Table 4, and Section 4.2 Table 5. Remember that not all “bad situations” are human rights violations.

Parents and children complained that the primary schools in their district did not provide good education. A group of parents asked a CSO to investigate the situation and advise them what to do.

1. Summary of the main points of the issue

- There are four primary schools in the district. They are very small and in a bad state of repair. Two have no toilets at all;
- The district education office drafted a plan to repair or rebuild the four primary schools. Six months later, it had only repaired one;
- In one of the schools, two grades are being taught in one classroom;
- A faith-based organisation offered to build a school for members of their faith, but the authorities did not give them permission. There have been some instances of violence against members of this faith who attend the local schools;
- Primary school teachers, who were poorly paid, asked the parents for money to buy writing materials;
- According to one of the parents, the district education office told the head teacher not to admit children whose parents failed to buy writing materials;

> *continued*

- In all the schools, there are more boys than girls, but in one school, there are 500 boys and 80 girls; and
- Some children in the district were either unable to attend school or frequently arrived late because of the long distances and lack of transport.

2. Identify areas that need further research:

- What additional information must be gathered to check whether the authorities are meeting their obligations concerning infrastructure, quality teaching and access to education?
- What national law applies?
- Which are the responsible ministries and government bodies?
- What regional or international standards apply?

3. Identify the acts or omissions that may be violations

- Identify omissions of negligence (anything that could have been done but was neglected);
- Identify any acts of discrimination or other violations of the right to education;
- On the basis of the available facts, was the government justified in refusing to allow the faith-based organisation to build a school?
- Is the government obliged to supply school buses?
- What further information is needed to decide whether there have been violations?

4. Explain the violations clearly

- What national law, if any, has been broken, and how?
- Has the government respected the 4As: availability, accessibility, acceptability and adaptability?
- Which human rights obligations has the government failed to carry out?
- Give the name of the law or treaty containing the obligation;
- Refer, as appropriate, to General Comment No. 13 or to case law (court cases in this or another country); and
- Suggest what the parents could do.

2.6

Identifying and planning strategies for action

The Planning Box in Appendix 1 of the Main Book, Part II, outlines the steps necessary for identifying and planning strategies for action. These steps are:

- Stage 1: Identify the problem;
- Stage 2: Develop a plan of action;
- Stage 3: Gather information;
- Stage 4: Claim and defend rights; and
- Stage 5: Evaluate the project and develop a follow-up plan.

3 Actions to realise the right to education

This section suggests ways to work with communities in order to take action to realise the right to education. It should be used together with the Main Book, Part II, Sections 3 – 11.

Different types of action include:

- Increasing your and/or your team's understanding of the right to education;
- Monitoring different aspects of the right to education and identifying human rights violations;
- Preparing evidence to claim and defend rights and to advocate for better laws and policies;
- Working with community groups to increase access to education by disadvantaged groups; and
- Promoting transparency and accountability in education.

The actions described in this section refer to aspects of the right to education described in Section 1 of this booklet. They may be carried out in any order, but it will be best to start with sub-sections 3.1 and 3.2. Five checklists and four tables are included for monitoring and investigating specific violations of the right to education.

3.1 Getting started

Before taking action, ensure that members of the organisation are familiar with international standards as well as national laws and policies. They should also know how the national education system operates.

Understanding the national system of education

Some questions to build a picture of the education system are:

- Is there a right to education in the constitution and in national and sub-national laws?
- Is the system centralised (at the national level) or decentralised (when local education authorities have specific responsibilities and a budget to provide education services)?
- What (proportion of the) national budget is given to education? What (proportion of the) local budget is given to education?

- Does the Ministry of Education have a policy and a plan of action? If so, does the plan acknowledge the human right to education and the purposes of education set out in Article 13 of the ICESCR?
- Does the education policy follow the AU Plan of Action for the Second Decade of Education for Africa (2006-2015)?
- Does the education policy cover the 4As?
- Does the policy analyse the status of education to date and set out the challenges facing the government?
- Are there plans to increase access to education for vulnerable groups?
- What action is planned for reducing the rural-urban divide? (see Section 1.12.3)
- What does the plan say about monitoring and accountability?
- Is there a plan for school governance such as school boards or parent associations?
- Are there provisions concerning teachers' training and qualifications? Are any unqualified teachers employed? Do teachers enjoy trade union rights and adequate pay and conditions? Are there adequate inspection systems to monitor and ensure effective teaching?

The national strategic plans of different countries can provide useful information. For example, the “Kingdom of Lesotho, Education Sector Strategic Plan, 2005-2015” (available online at planipolis.iiep.unesco.org/upload/Lesotho/Lesotho%20Education%20Sector%20Strategic%20Plan.pdf)

3.2 Actions to promote the right to education

Raising awareness could be done by a mixed group of “motivators” including students, teachers and community members. A useful tool for ensuring that the motivators have a common understanding is the Charter on Promoting Rights in Schools produced by the Right to Education Project and ActionAid. This is included in Appendix 2.

Actions could include:

- Working with schools to develop short plays about each of the 10 rights in the Charter;
- Inviting community members to contribute to an art work to represent non-discrimination, showing students and teachers from different backgrounds;
- A public debate about the purposes of education involving teachers, parents and members of the community. This could start with an explanation of the right to education, using examples of issues that people are familiar with. A follow-up debate could include education officials and journalists;
- Working with radio journalists to develop a programme on the right to education. This could include public debates to inform people about education rights; and
- Starting with simple actions, build peoples' skills, knowledge and confidence to challenge bad policies and practices, such as bullying or students arriving late.



Box 22: Advocating for the right to education through local radios

In Arua district in West Nile Sub-Region, Uganda, a women's pressure group gathered at Radio Pacis, a community based radio station, to advocate for girls' right to education. In their live phone-in talkshow, broadcast in the local language, they highlighted challenges girls are facing such as early marriages, pregnancies, domestic labour and the lower value placed on girls' education. They called upon the local leaders to develop by-laws to reinforce girls' right to education. They also called upon the community, parents and guardians to appreciate girls' education. They advised parents to prevent early marriage and reduce their workloads to give them more time for learning. Women's group members also informed the community of their planned home visits to identify girls of school going age who were not in school and holding parents accountable. This has kept parents alert and more parents sent their children to school in order to avoid embarrassment.

The women in the pressure group are members of an adult literacy project mobilised by the group, Literacy and Adult Basic Education (LABE).

Source: LABE reports, compiled by Stellan K.Tumwebaze-Executive Director, see also www.labeuganda.org

Making people aware of their right to education can encourage communities to demand that education be made available. Before taking any action to claim education rights, an

organisation should, in collaboration with members of the community, carry out a survey to find out what education is provided in the area and the needs of the community (see the Main Book, Part II, Section 6.5). The survey should find out whether:

- Primary education is compulsory and free; secondary education equally so, and if not then find out to what extent the government is working towards this goal;
- There are enough schools, teachers and education materials for all school age children, including in rural and remote areas;
- There are both policies and facilities for higher education; and
- Early Childhood Care and Education and basic education for those who need it are available.

3.3 Assessing implementation of the purposes of education

This action will take time to complete. It may need to be updated as the situation changes.

The purposes or objectives of education are set out in Section 1.2.1. They are summarised in the first column of the following table. Complete the table by noting, in the second column, whether the purpose is reflected in education plans or policies. In the third column indicate the extent to which the local authorities have tried/are trying to achieve these objectives. Suggested questions to ask are given in italics. Readers could adapt the questions according to their contexts.

Table 1. Assessing understanding of the purpose and value of education

Purpose of education under international human rights standards	Topics for discussion with pupils, parents and other community members	Questions for education professionals
<p>To promote the full development of the human personality and the sense of its dignity (ICESCR, Art. 13).</p> <p>Note: Personality development is described in Section 1.2.1 above. Dignity is described in the glossary.</p>	<ul style="list-style-type: none"> • Ask general questions about the purpose and value of education. • Seek people’s opinions on how schools can influence the development of pupils’ personality and sense of dignity. • <i>How are personality development and dignity reflected in the daily lessons or other school activities?</i> • <i>How does the school’s general environment promote personality development and dignity?</i> 	<ul style="list-style-type: none"> • <i>Does the school/institution have a policy to promote pupils’ personality development and sense of dignity? How do the school and its teachers do this?</i> • <i>How do personality development and a sense of dignity influence pupils’ attitudes towards education?</i> <p style="text-align: right;"><i>> continued</i></p>

Purpose of education under international human rights standards	Topics for discussion with pupils, parents and other community members	Questions for education professionals
<p>Understanding, tolerance and friendship among all nations and all ethnic or religious groups. (ICESCR, Art. 13) Also General Comment No. 13.</p>	<ul style="list-style-type: none"> • <i>What are pupils' and parents' attitudes towards people of different ethnic, religious or other groups?</i> • <i>How are positive attitudes encouraged in the daily lessons, extra-curricular activities, such as clubs or sports, and in school codes of conduct?</i> • <i>What could be done to encourage positive attitudes and improve relations between these groups?</i> • <i>If relations improved, what would the benefits be?</i> 	<ul style="list-style-type: none"> • <i>What does the local education authority / the school do to encourage respect for people of different ethnic origins or religions?</i> • <i>How does the school deal with bad behaviour in this respect?</i>
<p>Equal opportunity (CRC Art. 28)</p>	<ul style="list-style-type: none"> • <i>Does the school promote gender equality?</i> • <i>What actions are taken to ensure that students of different origins and those living with disabilities are given equal opportunities and treated with equal respect?</i> • <i>Are there separate toilet facilities for girls?</i> • <i>Does the school encourage girls to take up traditionally male subjects such as science?</i> 	<ul style="list-style-type: none"> • <i>Is the goal of gender parity included in educational plans at local level? How is gender parity monitored?</i> • <i>What is being done to identify and address the reasons for lack of parity?</i>
<p>Respect for the family and cultural identity, language and values (CRC, Art. 29)</p>	<ul style="list-style-type: none"> • <i>How does the school connect to parents, and discuss the sharing of responsibilities regarding the development of their children's personality and their mental and physical abilities?</i> • <i>How does the school relate to pupils and parents from different cultural groups?</i> • <i>How does it allow for different languages and cultural values?</i> 	<ul style="list-style-type: none"> • <i>Is respect for family and for cultural identity, language and values a part of the curriculum?</i> • <i>How is it encouraged / developed?</i> <p style="text-align: right;"><i>> continued</i></p>

Purpose of education under international human rights standards	Topics for discussion with pupils, parents and other community members	Questions for education professionals
Respect for the natural environment (CRC, Art. 29)	<i>How is it encouraged / taught?</i>	<ul style="list-style-type: none"> • <i>Is respect for the environment included in the curriculum?</i>

3.4 Actions to monitor free and compulsory primary education

When checking a State’s progress in making primary education compulsory, find out whether or not:

- The State has passed a law making primary education compulsory. (Note that some countries have made primary education free before making it compulsory);
- If not, does the State have a plan to do so? Is it implementing and monitoring the plan?
- If there is a law, does this ensure that education is of adequate quality and relevant to the child?
- Is the law being upheld? Are all children really going to school? Which groups are excluded, and what is the State doing to make sure they attend school? (More details in Checklist 2)
- Has the State submitted a report to the UN Universal Periodic Review (see Main Book Part II, 10.1.3)? If so, what did the report say about access to free and compulsory primary education?

(These obligations are set out in CESCR General Comment No. 11, paragraph 6.)

Box 23: How to use the checklists

Checklists should be used in collaboration with members of the community, following advice in the Main Book, Part II, Section 5.

Note that:

- The checklists do not cover every situation nor do they cover every aspect of a situation;
- Not all issues and questions in the checklist will be relevant in all situations, so readers should make their own selection;

> *continued*

- Sometimes it may be necessary to develop a new checklist to suit a specific situation. For example, to understand the low enrolment of girls it would be necessary to use relevant parts of checklists 2 and 4 and Table 3, and identify hidden costs; and
- Some tasks in the checklists involve interviewing people: for advice on this see the Main Book, Part II, Section 6.

Use Appendix 1 to find relevant extracts from regional or international human rights standards.

Before carrying out monitoring activities, check the State's reporting obligations to the African Commission and the CDESCR. These are summarised in Section 2.

Checklist 1 on the following pages gives specific guidance to monitor free and compulsory primary education.

3.5 Actions related to the availability and accessibility of education

Availability and accessibility were described in Section 1.2.3 of this booklet.

The Right to Education Project has developed sets of indicators for monitoring the 4As. These have been adapted for this booklet. See Appendix 3. Checklist 2 on pages 64-66 includes questions based on these indicators.



Checklist 1: Monitoring free and compulsory primary education



Objective

- To find out what it costs parents to send their children to primary school, in order to determine whether the government is living up to its obligations as prescribed under national laws and/or international treaties such as the ICESCR. Some schools charge user fees, but even where no fees are charged there may be other costs, such as uniforms, transport, textbooks, writing materials or extra tuition.



Tasks

Check

1. Initial preparation

- Look at the laws or policies concerning primary education
- If primary education is not free, find out:
 - What the laws or policies say about the cost
 - Whether the government has developed a plan to make it free; and, if so
 - What plans have been made to provide the necessary resources (teachers, classrooms, teaching materials, etc.)
- If primary education is free, ask about class sizes, the number of teachers and how many lessons each teacher teaches during the week
- Find out what the local authorities are doing to ensure that there are enough resources

2. Participatory research in collaboration with members of the community

- Decide how many people to interview, and in what area
Interviewees could include:
 - School administrators
 - Fathers and mothers. They may have different views. Try to find a way to hear both (for example, separate meetings with mothers and fathers)
- Consider how your questions might be interpreted and explain clearly why you are asking about costs
- Frame the questions differently for situations where education is free, not free, compulsory or not compulsory
- Ask open questions – do not give examples of the answers you expect. (But in some cases, for example if a yes or no answer is required, you may choose to ask closed questions)

The following table may be a useful way of recording responses to questions about cost.

Item	Cost	Number of girls affected	Number of boys affected	Comments
User fees				
Uniforms				
Meals				
Transport				
Textbooks				
Writing materials				
Extra tuition				
Other items				

Additional questions:

- What proportion of the family income is spent on education? ○
- Are there subsidies for low-income families, such as the provision of school meals or health care? ○
- Is there free access to other learning facilities such as libraries and extra-curricular activities (school outings, clubs, etc.)? ○

3. Analysing results and taking action

- Make a note of all costs charged to parents ○
- Classify costs in terms of what is voluntary or compulsory ○
- Identify the ways in which different costs affect different groups (for example families having to choose which of their children to send to school) ○
- Record cases that show how costs affect families, for example: parents having to pay for extra tuition or learning materials; or children excluded from school for failure to pay for something ○
- Draft a report on the results of the research and: ○
 - Discuss the findings with parents and other community members, the head teacher and local education officials ○
 - Link up with any other organisations working on the right to education to share findings ○
 - Meet with government officials, UN agencies and other international representatives to discuss the findings ○
- Work with the local authorities to find solutions, or, if the local authorities are not willing to discuss solutions, write letters to decision makers, for example, members of parliament, government officials, or the human rights commission ○



Checklist 2: Monitoring availability and accessibility of education

For further information, visit www.right-to-education.org/node/863. For advice on using indicators, see the Main Book, Part II, Section 7.3, Box 30.

Education is not available if there are insufficient schools and it is not accessible if people cannot afford the cost or if they cannot reach educational institutions because of distance, danger, disability or discrimination.

This checklist applies not only to schools, but also to other educational facilities, such as those providing training or literacy programmes.



Objective

To identify the obstacles that make education unavailable and inaccessible.



Tasks

1. Initial preparation

- Decide which area to monitor – this could be the area surrounding a particular school or a particular community, such as an informal settlement or a rural village
- Decide whether to monitor availability and accessibility of a particular type of education, for example, free and compulsory primary education, or basic education for adults
- Gather information from the local government about the number and location of schools (possibly on a map), the number of boy and girl students and the number of teachers
- How many girls and boys are out of school?
- Find out what the laws or policies say with regard to making education available and accessible for all. Do they say what the government intends to do? Do they point out the challenges in providing equal access?
- Does the local government collect > disaggregated statistics on people's access to education? For example, does it have local or national enrolment figures? (See box 24) Do these show the numbers of girls and of boys in a particular age group who attend school as a percentage of the total numbers of boys and of girls in that age group? Do they count out-of-school children? Do any local or international organisations collect statistics?

2. Participatory research

- Interview community members to find out about their education needs and whether these are being met



Availability:

- What levels of education are available in the area (primary, secondary, higher and basic education), and where (at what distance)?
- Do community members and their sons and daughters receive education? If not, what is the reason?
- Are places in schools available for all?
- Are parents able to send their children to school?
- What obstacles do they face? (for example the cost or the distance from the home)



Carry out additional research using the indicators for availability in Appendix 3.

Accessibility:

In addition to carrying out the following tasks, make use of the accessibility indicators in Appendix 3.

- **Physical accessibility:** On the way to meet the target group take note of the distance, the difficulties of the route and potential dangers. Take photographs if appropriate. Ask about the difficulties of physical access for different groups, such as women, girls, and disabled people
- **Economic accessibility:** Interview members of the target group about the costs of education (more details in Checklist 1)
- **Socio-cultural accessibility:** What is the language of instruction? Is this a barrier to the target group? Are there any other social or cultural considerations, for example regarding girls (such as separate toilets, a safe environment and possibly flexible school hours to allow girls or women to combine school with family responsibilities) or different religious or ethnic groups? Are there any legal and administrative obstacles, such as the need for a birth certificate? (See also Appendix 3)
- **Statistics:** Gather disaggregated data about the numbers of people in the target community who:
 - Have received education (and what kind)
 - Have access to education but have not received any (and why)
 - Have no access to education of any kind (and why)
 - Have limited access to education (and why)



(If figures are available, access could be broken down into physical accessibility in terms of travelling time to school, economic accessibility in terms of income spent on education, socio-cultural in terms of language of instruction and flexibility to adjust)

Also identify:

- People's attitudes towards education
- What other physical, economic or cultural factors prevent people from receiving education ...



3. Analysing results and taking action

In collaboration with the community:

- Analyse the statistics gathered from interviews in the field and see how they compare with government statistics ○
- If government statistics are not available, see if local, national or international NGOs have the relevant data. Also, remind the authorities of their obligation to gather disaggregated statistics in order to monitor progress towards meeting their ESC rights obligations (see the Main Book, Part I, Section 4.2, Box 7) ○
- Consider whether the government is taking deliberate, concrete and targeted steps towards building enough schools in the area and towards making secondary, higher and basic education free and accessible ○
- Work with the community to find solutions to the obstacles ○
- Draft a report to show the results of the research. Make suggestions for what the authorities could do to overcome the obstacles ○

Box 24: Enrolment statistics

> Net enrolment rate means the number of children of primary school age enrolled in education as a percentage of the total number of primary school age children in the country.

If the net primary enrolment is 90%, that means that 10% of children of primary school age are not in school.

See also > gross enrolment rate.

3.5.1 Actions to monitor and increase girls' access to education

Many studies have found that educated girls are the seeds of a more prosperous nation. Educating women ensures the welfare of families and communities, and women usually encourage their sons and daughters to go to school. One of the goals of the AU Plan of Action is to achieve gender equality (or parity) in primary and secondary education.

Checklist 2 was designed to monitor the availability and accessibility of education. It can be adapted to monitor girls' access to primary or secondary schools. It may also be used in conjunction with Checklist 3 on monitoring school drop-out.

Table 2: Overcoming the obstacles that prevent girls from going to school

This table is for analysing factors that keep girls out of school. Readers may identify other problems and solutions.

Obstacle	Explanation	Possible solutions
Cost	Even if education is free, families may have to supply items like uniforms or pencils and textbooks and pupils may have to bring their food.	<ul style="list-style-type: none"> • The State could consider abolishing the rule of compulsory uniforms and provide school meals. • The State is obliged to provide learning materials.
Physical accessibility	The school may be too far away and difficult to get to.	<ul style="list-style-type: none"> • The authorities should consider building another school or providing safe transport. <p style="text-align: right;"><i>> continued</i></p>

Obstacle	Explanation	Possible solutions
Safety	Girls can be assaulted or harassed on the way to school and in school.	<ul style="list-style-type: none"> • The school should develop a school safety policy. • Paths to school should be made safer (e.g. cleared of bushes) and accompaniment plans developed (girls protected by parents or boys).
Lack of privacy	Toilet facilities may not be clean or lack privacy.	<ul style="list-style-type: none"> • The State should provide adequate sanitation and separate toilet facilities for each sex.
Culture or customs	<p>Some families believe that girls do not need education. Girls are “married off” and do not stay in the family. Others fear that girls may be “corrupted” by contact with people who are not family members. Language is another barrier.</p> <p>Girls often have to perform household tasks, which prevents them from spending time on education.</p> <p>Early marriage often results in girls leaving school before they finish their education.</p> <p>Pregnancy often results in girls being expelled from school.</p>	<ul style="list-style-type: none"> • The school should promote gender sensitivity in the school and in teaching materials. It should provide language lessons, including lessons in the languages spoken by minorities. • Schools should consider providing single sex classes, employ more women teachers, and allow for flexible or special school hours to allow girls to attend school after they have fetched water or performed other household tasks; at the same time, it is important to alleviate the household burdens of girls and women, by encouraging men and boys to do more and to provide easier access to improved facilities (water wells, household appliances). • Actions to prevent early marriage are crucial as well. • The State should prevent schools from expelling pregnant girls.



3.5.2 Actions to monitor and investigate school drop-out

The CRC, in Article 28, para. 1 requires “States Parties [...] to, in particular [...]: (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates” (see the Dakar Framework in Appendix 2).

Box 25: Drop-out rates in Tanzania

Authorities in Tanzania have expressed concern over the large numbers of pupils, mostly girls, who drop out of school because of pregnancy, teenage marriage or child labour. Thirty percent of Tanzanian school children were failing to complete seven years of primary education. In secondary schools, the drop-out rate was 20 percent.

Source: *Tanzania, concern over school drop-out rate*, 8 June 2007 (IRIN). Available online: www.irinnews.org/report.aspx?ReportId=72628.



Checklist 3: Monitoring school attendance and drop-out



Objective

To identify the extent of drop-out and the causes.



Tasks

1. Initial preparation

- Find out whether the national or local authorities have a definition of > drop-out
- See if there are any national or local statistics on the numbers of students who have dropped out of primary or secondary school and the causes of drop-out
- Find out if education policies contain a strategy for reducing drop-out rates. Are the schools required to keep records of drop-out? Which strategies are employed at national and local levels?
- Decide whether to monitor primary or secondary school drop-out rates and in which area or community. You could monitor two different areas and compare the results

2. Participatory research

In collaboration with members of the community or parent associations and teachers/school personnel:

- Visit communities to inquire about school attendance. Discuss with local leaders whether to hold a public meeting or to interview families at their homes
- Interview school management and teachers to get their figures and understand their views on reasons for school drop-out
- Try to find out if there are records of teachers' attendance. The absence of teachers would affect the quality of teaching and may lead to children dropping out. If the absence of teachers is a problem, try to find out the causes. (See Section 3.8)
- Decide whether to interview parents or children or both (for advice on interviews, see the Main Book, Part II, Section 6.6)
- Identify the school or schools that serve the area and the number of students.....
- Find out, if possible, the number of children of primary school age and secondary school age in the area
- In collaboration with the community, list economic and social circumstances and other factors that may influence school attendance, for example distance to the nearest school and whether parents received any education (parents who have not received education may not realise the value of education)

- Record the numbers of girls and boys who do not attend school and those who do ○
 - Take notes of the reasons why children do not attend school. Ask:
 - Did the child go to school previously and, if not, for what reason? ○
 - When the child started attending school and whether he or she attended regularly. (If there are children of school age who have not yet started school, try to find out the reasons.) ○
 - When the child dropped out and for how long ○
 - The reasons for dropping out ○
 - What action, if any, did the parents take to help the child to return to school? ○
- Also:
- Try to assess the circumstances and attitudes of the family and the child that may have contributed to the child dropping out ○
 - Talk to the community leaders who may provide additional information ○
 - Ask parents and community leaders what changes they would like the local education officials or the Ministry of Education to make ○

3. Analysing results and taking action

- Summarise the results of the interviews. Include:
 - The > disaggregated statistics you have gathered and, if possible, compare these to the national or local statistics ○
 - A list and ranking of the causes of drop-out ○
- In collaboration with the community, analyse the causes of drop-out. Use the 4As framework (see Section 1.2.3) to guide the analysis. You can also make use of Checklist 4 for monitoring acceptability and adaptability, and Table 2 for reasons why girls drop out ○
- Relate causes to circumstances, for example a girl may have been dismissed from school when she became pregnant (remember to keep personal details confidential) ○
- Work with the community to decide what actions could be taken to reduce drop-out and make suggestions to the schools and authorities ○

3.5.3 Actions to reduce school drop-out

Consider actions to:

- Raise awareness among communities of the importance of education;
- Work with the local education authorities and parent associations to address the causes of drop-out that are related to the education system and the school, for example bullying, overcrowding, dismissal of pregnant girls, low standard of teaching, teacher attendance, poor infrastructure, lack of safety, lack of facilities for disabled children, lack of relevant practical or technical subjects (TVE), possibly school fees or other charges, and provision of school meals;
- Liaise with others (e.g. CBOs and NGOs) to address other reasons for drop-out, e.g. child labour, household work, or early marriage; and
- Bring problems of a national nature to the attention of the national authorities. For example, laws allowing girls to marry at a very young age or requiring a birth certificate for admission to a school.

Box 26: Tackling drop-out in Nigeria

During the Global Week of Action on Education for All in 2004, Nigerian school children drew “Missing out maps” of their communities locating areas where children were unable to get to school.

Another activity, “Politicians Go Back to School”, encouraged politicians to visit their constituencies to learn about the education situation.

Then, in a “Big Lobby” action, over 50 school children and 20 out of school children from local communities visited the National Assembly to tell members of parliament about their situation.

Source: Commonwealth Education Fund report on the Global Campaign for Education's Global Action Week in Nigeria

Box 27: Promoting violence-free education in Uganda

In Arua District in West Nile Sub-Region, Uganda, a project was carried out to promote violence-free homes, schools and communities. Murals depicting violence free homes, schools and communities were painted on school walls and on a central public wall in town. The aim was to create awareness and promote community debates on children's right to education.

> *continued*

On busy community days like the market days and open school days, community members were invited to discuss the children's right to education based on the murals.

In one case, a radio presenter was commissioned to solicit people's views on the situation using the town mural as the starting point. First, he emphasised the positive points. Then he would interview a member of the public and ask provocative questions, such as: Do you agree that beating children will affect their learning? What is the best way of handling disciplinary cases in school? If you found out your child was in a class with an age-mate who had given birth before, what would you do?

The various views were recorded and then played back during a radio programme. This included a panel of children, parents and teachers who would respond to telephone callers who wanted to share their experience and give more information about children's right to education.

Source: LBE reports, compiled by Joyce Nairuba, LBE Regional Manager West Nile, Uganda; see also www.labeuganda.org

3.6

Actions related to the acceptability and adaptability of education

This section includes a checklist for monitoring the acceptability and adaptability of basic education, see next pages. The checklist could also be applied to other levels of education. This checklist may be used wherever basic education is available and accessible.

Basic education was described in Section 1.6 of this booklet. The 4As were described in Section 1.2.3.



Checklist 4: Monitoring the acceptability and adaptability of basic education



Objective:

To monitor the provision of acceptable and adaptable basic education.

Note: Readers could also refer to Checklist 3 for monitoring school drop-out: some people seeking basic education will have dropped out of school, either because it was not acceptable to them or not adapted to their needs.



Tasks:

1. Participatory research – meeting the education authorities and the providers of basic education

- Find out whether basic education comes under the authority of the Ministry of Education or another ministry, such as the ministry dealing with social affairs
- Interview local education authorities, providers and head teachers

Ask:

- Whether there is a national or local plan for basic education, such as for addressing illiteracy.
- What are the goals of basic education?
- Does the plan comply with the purposes of education (see Section 1.2.1)?
- What data were gathered to identify the basic education needs in the area and the groups of people who would benefit? Try to obtain a copy of the results. If not, carry out a survey (see Task 3, bullet 3 below)
- What types of basic education are included? Who are the intended beneficiaries? Who are the providers? Is there a budget? (Note that few governments provide adequate funding for basic education.)
- Do the authorities (plan to) involve NGOs, religious organisations or other entities in providing basic education? If so, what are the regulations and quality standards?
- Whether there is a charter of rights and duties and a system for inspection and accountability for these providers
- What criteria were used to ensure that basic education is acceptable and adaptable? Use indicators for the 4As concerning safety, teacher qualifications, discipline, religion and language
- What are the procedures and practices for transition from basic education to other forms of education (for example, students moving to or re-entering primary or secondary schools)?

Obtain information about the learners:

- Are they young people who have not had a full primary or secondary education?
- Are they adults hoping to gain income-generating skills or literacy skills? (See Section 1.6) ...
- To what extent do the learners participate in the development of the curriculum?
- Are the courses adapted to the needs of different individuals and different social and cultural groups?
- What is being done to meet the needs of the most disadvantaged groups (such as the disabled, nomads, displaced people, orphans, widows and people in remote areas)?
- How are the needs of such groups determined?
- Is the education relevant and non-discriminatory?
- Ask about changes in the ways courses were offered to suit the needs of students

2. Participatory research – meeting other stakeholders

Using the indicators for acceptability and adaptability given in Appendix 3:

- Arrange a discussion forum involving community members and relevant interested people, for example community leaders, women’s groups, other disadvantaged groups and religious organisations. Consider including a representative of a provider of basic education
- The aim would be to find out what people know about basic education, what kind of basic education is provided and what is needed and to see whether it is acceptable and adaptable. You can use the questions posed above (for example, “Is the education relevant and non-discriminatory?”). You could provide additional information gathered from laws, policies and interviews with officials. Take notes of what is needed and by whom. After the discussion, summarise the notes and allow people to make corrections or additions
- Carry out research among one or more communities to find out their educational needs as relevant to their particular circumstances. For example, a group of fishers might need literacy and numeracy skills but can only study after they return from the sea in the evening ...

3. Analysing results and taking action

Working with volunteers from the community, develop an action strategy. This would probably include:

- Informing the authorities of the results of your survey and making recommendations for addressing problems
- Lobbying, for example to persuade the authorities, to supply basic education to areas in need
- Monitoring basic education providers to ensure that the education complies with the 4As ...

3.6.1 Actions to promote good quality education

This section contains a “report card” for assessing quality education:

- The first column lists nine essential elements of a good quality education;
- The second gives key components of each element (see Section 1.8); and
- The third column allows monitors to assess whether the element is present or not (yes/no), and whether it is of good (G) or poor (P) quality. In addition, monitors can make specific comments such as “Classrooms: Too small.”

Table 3: Report card on good quality education

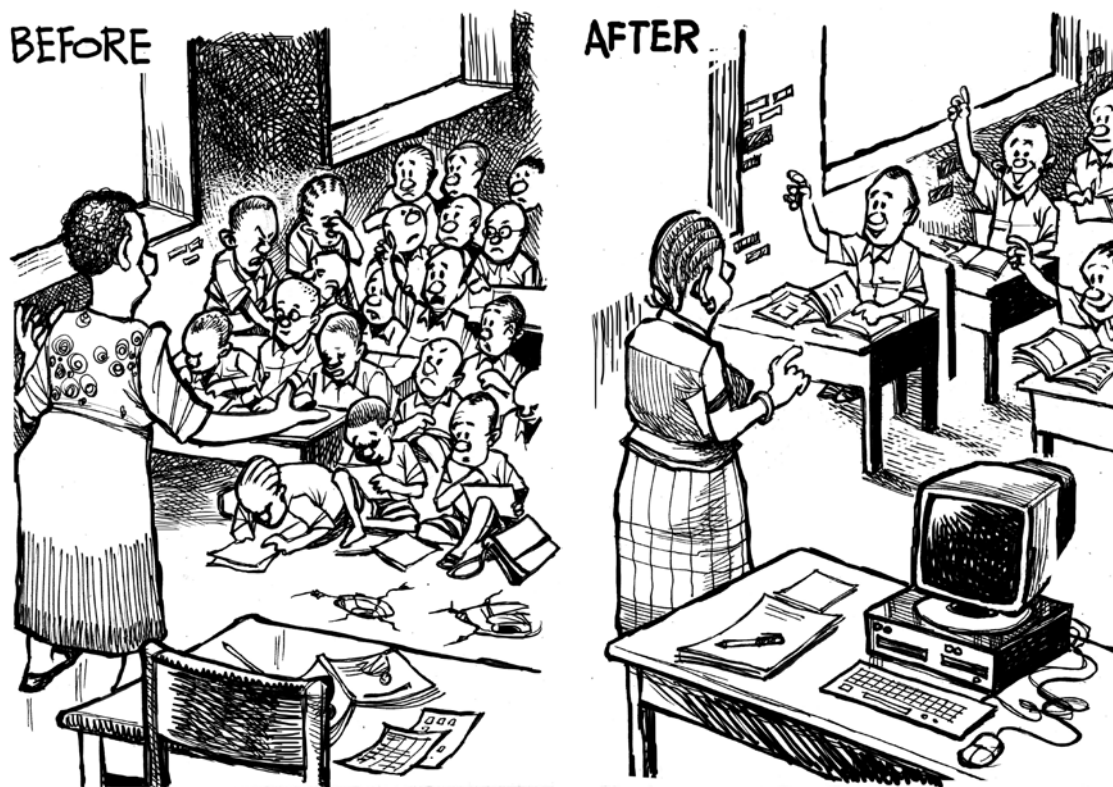
REPORT CARD ON GOOD QUALITY EDUCATION		
Element	Including	Presence/ Quality/ Other comments
Infrastructure	Adequate infrastructure: <ul style="list-style-type: none"> • Classrooms • Toilets • Recreation areas • Safe and healthy environment 	Yes/no G/P
Management	<ul style="list-style-type: none"> • Experienced head teachers with good management skills 	Yes/no G/P
Participation	<ul style="list-style-type: none"> • School boards • Parent associations • Students’ representative councils 	Yes/no G/P
Standards of behaviour	<ul style="list-style-type: none"> • School rules known to all • Right to complain and a mechanism for making the complaints 	Yes/no G/P
Curriculum	<ul style="list-style-type: none"> • Relevant to learners’ needs and to their lives within the community • Balanced in terms of attention to different subjects and life skills • Available in schools – can parents and pupils obtain copies? • System to monitor progress and effectiveness • Inclusive: developed with input from stakeholders and other institutions • Reviewed regularly 	Yes/no G/P

> *continued*

REPORT CARD ON GOOD QUALITY EDUCATION		
Element	Including	Presence/ Quality/ Other comments
Teaching staff	<ul style="list-style-type: none"> • Qualified • Both genders • Different backgrounds • Fitness for teaching (eg. no record of violence) • Attendance and motivation 	Yes/no G/P
Conditions of service	<ul style="list-style-type: none"> • Adequate salaries • Reasonable teaching hours • Time for preparation • Academic freedom • Trade union rights • Access to adequate and affordable housing 	Yes/no G/P
Learning environment	<ul style="list-style-type: none"> • Adequate > pupil-teacher ratio • Sufficient and appropriate teaching materials. 	Yes/no G/P
Learning outcomes	<ul style="list-style-type: none"> • Students who have: <ul style="list-style-type: none"> - Good exam results - Good level of functional literacy - Adequate numerical skills - Adequate technical skills - Good social skills • Rate of school leavers continuing their education • Rate of school leavers moving into appropriate employment • Students making a positive contribution to their communities 	Yes/no G/P

3.7 Promoting better infrastructure to improve conditions for teaching and learning

Many schools, particularly in rural areas, have very basic infrastructure, yet some communities have found ways to improve the situation, among others by self-help actions.



Box 28: Building schools and improving the quality of education

When Malawi introduced free primary education in 1994 there were not enough classrooms or teachers to cope with 1.4 million new pupils. In 1998 the government, in collaboration with USAID and a Malawian NGO, Creative Centre for Community Mobilisation (CRECCOM), mobilised communities in 15 districts to construct blocks for building schools. A total of 1,964 schools benefited from the project. CRECCOM also trained and empowered management committee members in more than 2,000 schools.

Source: IRIN, *MALAWI: Projects improve quality of education in more than 2,000 schools* 12 July 2004. Available online: www.irinnews.org/report.aspx?reportid=50606.

Infrastructure can have a positive or negative impact on education. It affects the kind of education that can be delivered (the programme) as well as the quality of teaching and learning. Infrastructure was described in Section 1.7. The main items are repeated in Table 4 for convenience.

The following indicators may be used as a checklist for monitoring infrastructure. They should be used together with the 4As. These indicators were developed in South Africa⁴¹ and have been adapted for this booklet.

Table 4: Indicators for monitoring infrastructure

Element	Indicators for monitoring infrastructure	4As
Buildings	Buildings should be: <ul style="list-style-type: none"> • Structurally sound • Provide protection against bad weather • Allow for the circulation of clean air • Provide good natural light • Provide a comfortable learning environment 	Available Accessible, Acceptable and Adaptable
Lay-out	Infrastructure should include: <ul style="list-style-type: none"> • An assembly area • A classroom for each grade • A staff room • A canteen • A kitchen for school meals • Storage areas 	Available and Acceptable
Basic services	Including: <ul style="list-style-type: none"> • Electricity • Water and sanitation (separate facilities for boys, girls and teachers) 	Available
Operating costs	Operating costs should be low, for example, the school should: <ul style="list-style-type: none"> • Be easy to clean • Have enough window light to avoid use of electricity • The roof could be adapted to harvest rainwater 	Adaptable
Programme	School buildings should allow for the teaching of all subjects in the curriculum, for example, secondary schools may require: <ul style="list-style-type: none"> • Science laboratories • Workshops for technical subjects (carpentry, mechanics, dressmaking, etc.) 	Available Adaptable
People	Infrastructure should: <ul style="list-style-type: none"> • Allow users to be comfortable, healthy and productive • Meet users' basic needs • Guarantee that human rights are respected, for example, in a school charter requiring staff and students to respect the principles of non-discrimination, the right to participate in decisions that affect them, the right to a remedy in the case of unfair treatment, and no corporal punishment • Provide (if appropriate) boarding facilities to accommodate pupils who live in remote areas 	Acceptable Adaptable

3.8 Assessing school management

Many school heads and teachers work long hours without adequate training or support and with limited resources. The purpose of monitoring school management is to identify problems and work with key stakeholders, including school boards and parent associations, to improve the situation.

Various studies have identified the qualities that a head teacher should have. They include:

- Commitment and enthusiasm: the ability to set a clear vision and motivate staff and students to realise their highest potential;
- Leadership qualities: capacity to make decisions and communicate them clearly;
- Being able to find adequate resources including teaching and learning materials;
- Organisational skills and teamwork: encouraging participation in planning and decision making; delegating duties; reviewing outcomes and celebrating achievements; frequent consultation and briefings;
- Ability to manage teachers: promoting satisfactory conditions, supervising and providing academic and professional guidance; providing encouragement;
- Ensuring a safe environment for students, especially girls; and
- Monitoring and maintaining students' discipline.

3.8.1 Actions to promote higher standards of teaching and improve teaching conditions

Standards of teaching and the rights and conditions of teachers were described in Section 1.8. This section contains a checklist for monitoring these aspects of the right to education.

Before using the checklist it may be useful to know more about teacher qualifications and about how the education system monitors its own work.

Box 29: Teachers' training and qualifications

Primary school teachers usually have a school leaving certificate and a teaching certificate gained after one or two years at a teacher training college.

Secondary school teachers usually have a university degree on a specific subject and either a Bachelor of Education Degree or a secondary school teaching certificate from a teacher training college.

> *continued*

“Para-teachers” are people with secondary education but without any teacher training. The employment of “para-teachers” became more common after the introduction of free primary schooling. Governments that have employed “para-teachers” should be taking concrete and targeted steps towards ensuring that all teachers are fully trained, including through “in-service training” – this is training that takes place in the school. It adds to the more theoretical training that is provided in teacher training colleges.

Box 30: School inspectorates

A good inspection system is essential. Inspectorates are set up by the government to monitor the performance of all (public and private) schools. Some school inspectorates only monitor education policies and how the curriculum is implemented. They should also monitor school strategies for staff development and school improvement. Inspectors should be well trained. Many of them are former classroom teachers, without adequate knowledge of school management. They should also have transport. Southern African education ministries, in collaboration with the Commonwealth Association for Development in Africa, have developed training materials for school inspectors. These are available on the Internet in French and English (through the Association for the Development of Education in Africa at www.adeanet.org/adeaPortal/adea/publications/en_pubs_wgtp.html).



Checklist 5: Monitoring the standards of teaching and the rights and conditions of teachers



Objectives

To monitor teaching standards and conditions.



Tasks

1. Initial preparation

- Consider carefully how to work on this sensitive area. It may be best to work with the board or the parent association. If any CSO members are teachers, consider whether they should or should not be involved in the monitoring project. There may be a conflict of interests
- Obtain any relevant documents published by the local education authorities or by the school to be monitored
- Find out what statistics the local education authorities have and, if possible, obtain copies of any inspection reports (reports made by the school inspector to the education authorities)
- Find out what members of the board and/or parent association think about the quality of education at the school and identify issues that need to be monitored

2. Participatory research (training, conditions, management)

2.1 Availability of teachers – information may be available from the local education authorities or from the school

- Find out how teachers are recruited. This is often done by the local education authorities. Private schools may have their own recruitment systems
- Try to obtain information about the qualifications required for different levels of education
- If possible, obtain other details including:
 - The total number of teachers in relation to the total number of grades/classes
 - The pupil-teacher ratio

- How well qualified are the teachers? How many have teaching certificates, or can teach special subjects, such as science, or are para-teachers?
- Teacher attendance records (teachers may fail to arrive for various reasons, such as lack of transport)
- Are the records available to students and parents?
- Whether any subjects have been dropped from the curriculum because specialist teachers are not available

2.2 Teachers' conditions – information may be obtained by interviewing the head teacher and teachers. It will be necessary to get the head teacher's permission to interview teachers. Alternatively, invite the board to ask these questions.

Interview teachers to ask about their working conditions, including:

- Their pay and how this meets their needs
- The hours they spend on:
 - Teaching
 - Marking pupils' work
 - Preparing lessons
 - Doing extra-curricular work (for example, leading sports or social clubs)
 - Going to and from the school
- The adequacy of the teaching materials provided, for example textbooks, science kits, and exercise books for pupils. If these materials are not provided or if they are of poor quality, does the teacher make or provide her/his own materials? At what cost in time and money?
- Teamwork within the school – how do teachers relate to managers and colleagues? Do they feel well informed and able to participate in decisions? Do they have department meetings (for example if there are three history teachers, how do they coordinate the work and support each other?)
- Are teachers given adequate guidance and support on how to maintain discipline?
- Safety on the way to work and safety at work
- Job satisfaction – do managers provide support and encouragement? Do teachers have opportunities to improve their skills, either in their particular subject or in teaching methods?
- What are their career plans for the future? Are there opportunities for promotion?
- Are they members of a teachers' union? What are the benefits or disadvantages of membership?

2.3 Management and supervision

- How is this organised? Do teachers have one-to-one meetings with their manager? Do they have meetings with the head teacher?
- Do teachers have plans of work for the term (these should include the elements to be taught during the term, based on the curriculum, and how they will be taught)? Do they have to prepare plans for each lesson? Does the manager comment on these plans?

- Does the manager observe lessons and provide feedback afterwards?
- How can teachers make a complaint, for example about a colleague or work conditions? ...
- How often have they had a visit from the school inspector?

3. Analysing results and taking action

Analysing teacher availability:

- Summarise the findings and discuss the issue with the head teacher
- Identify issues that could be corrected immediately
- Identify ways in which the board or parent association may be able to help, for example by approaching the national or local education authorities

Analysing conditions:

- Write a report on the findings and discuss these with the board or head teacher. Identify ways to improve conditions

Analysing supervision and management:

- Identify good practices and problems. Ask the school board to discuss these with the head teacher. If necessary, the board could seek advice or action from the inspectorate

3.8.2 Monitoring the accountability and transparency of schools

This section focuses on secondary education, which is described in Section 1.4. It can also be used to monitor the accountability and transparency of other levels of education.

The basis of accountability and transparency is the education policy. This should:

- Determine the goals for each level of secondary education – lower, higher, general (academic) and technical/vocational (TVE) - or primary/higher;
- Set out the objectives of these different elements and show how pupils can choose a combination of subjects that suits their interests and abilities;
- Set up a system for measuring whether students are reaching the expected levels of attainment;
- Set standards for schools and teachers (including time-keeping, no alcohol in school, no bullying); how these will be monitored by the school and the inspectorate; and what disciplinary measures may be taken (the school should have a disciplinary code);
- Set indicators to measure the teachers' and students' performance as well as factors like the gender balance and drop-out; teacher absence should also be monitored - some teachers have poor attendance records;
- Ensure that teachers and students are able to have their views taken into consideration; and
- Develop a system for collecting and publishing information. This should be accessible to everyone. It is essential for comparing the performance of schools or institutions in different parts of the country.

Educational institutions are responsible for:

- Teaching the curriculum;
- Collecting accurate data to monitor how the curriculum is being implemented; and
- Maintaining the infrastructure and making the best use of financial and other resources.

They are accountable to:

- The local and national education authorities;
- The pupils and their parents; and
- The community, including school boards and parent associations.

These groups should be consulted and have free and easy access to information about education facilities and performance.

Box 31: Boards of governors

Education has a crucial role to play in the country's development, so members of the public have a stake in ensuring that schools and other educational institutions do a good job. CSOs are also members of the public.

In most countries the education act dictates how boards of governors (boards) are set up. Board members should be chosen for the contribution they can make to the school. The board's tasks can include:

- Developing the general policy of the school and ensuring that this is carried out;
- Seeing that government resources are used effectively (private schools may have slightly different systems); and
- Approving the school's annual budget and submitting it to the appropriate education authority, which decides what resources the school should receive for the following year.

Source: *Better Schools: Resource Materials for School Heads in Africa*, UNESCO. Available online: http://library.unesco-iicba.org/English/Better_Schools/Better%20Schools/MODULE7/module7_unit4.htm

CSOs should think carefully about how to monitor transparency and accountability. They should not duplicate the role of the education authorities or the school boards (see Boxes 30 and 31), but after investigating to what extent schools live up to the policies, they can advocate for more transparency and accountability.

3.8.3 Working with the school board or parent association to promote understanding of the right to education

Members of the board or parent association may know a lot about the education system but much less about the human right to education. Knowing about the right would strengthen their capacity to carry out their monitoring and supporting roles.

Boards and parent associations have several roles. These include maintaining a positive relationship with the head teacher, monitoring and contributing to the resources of the school, and ensuring accountability and transparency.

Actions:

- Read the regulations for the board and parent associations: these should be available on request from the education authorities;

- Try to obtain a copy of the board or parent association's constitution or terms of reference (if these documents are not available, it suggests a lack of transparency);
- Meet members of the board or parent association and ask about their role, their objectives and the activities they have carried out;
- Ask what they know about the right to education and about the elements of accountability and transparency; and
- Offer to provide them information about the right to education and related rights, such as their right to participate and to receive and give information.

3.8.4 Monitoring the performance of the school board

If a board feels uneasy about working with a CSO, it may still be possible to monitor the board's performance. Find out about:

- Its members: do they have relevant knowledge and experience? Some board members may not have any experience with schools. Even a former teacher may not know much about school management. On the other hand, someone like a local business person may provide useful advice about preparing pupils for work;
- Its role, responsibilities and activities: how often does the board meet with the head teacher? Is there a good relationship between them?

Note: there is often a lack of clarity between the role of the head (to manage the school) and the role of the board (to lead on a strategic level, monitor the management and advise);

- Does the board produce a report on its meetings with authorities and parents? Who receives the report – the head teacher or the local authorities? Is the report published?
- What recommendations has the board made? Were these accepted?
- Do the boards receive training? If so, what does this include?
- What do parents know about the board and its work?

3.8.5 Monitoring the performance of parent and student associations

Parent (or parent-teacher) associations make an important contribution to the school. Members are parents of children in the school. They are elected to serve for a specific period.

Unlike school boards, parent associations do not have an oversight role. However, they can give suggestions or advice to head teachers or school boards.

Contributions may include raising money for extra items like footballs, producing fresh vegetables for the canteen, supporting children with disabilities or providing work place experience for students near the end of their schooling. Parents may also run out-of-school activities, such as music groups, sports events or visits to interesting places.

Box 32: Parent associations in Francophone Africa

Francophone African countries set up the African Federation of Parent Associations (FAPE) in 1995. It identified actions to support the goals of Education for All, including:

- Removing obstacles that prevent families from enrolling girls;
- Improving the learning environment, including assistance with out-of-school activities and access to textbooks; and
- Informing families through a “parents’ school” to encourage them to support their children’s education.

Source: *Parent Teacher Associations: A New Partner in Education for All*, Association for the Development of Education in Africa. Available online: www.adeanet.org

Monitoring parent associations

- Read the documents setting up the association. Find out how often it meets and whether it produces reports on its activities, including fundraising;
- Speak to members of the association about:
 - The association and its objectives;
 - Its relationship with the head teacher;
 - The initiatives it has undertaken and their impact; and
- Speak to parents who are not members and find out if they know about the association and its work.

If these inquiries raise any concerns about accountability or transparency, either meet with or write to the head teacher to seek further information.

Student participation

CSOs working on the right to education should set an example and find ways to involve children in their work. If a school has no system for hearing students’ opinions, the CSO could raise the issue with the school (see Section 1.11.2). If a student council exists, find out how often it meets, its activities and impact and its relation with students and staff.

3.9 Seeking remedies for violations of the right to education

Ways to make complaints and seek remedies for violations of the right to education at local and national level were outlined in Section 2.2.1. Sections 2.3 and 2.4 gave information

about taking cases to regional or international bodies. The Main Book, Part II, chapters 9 and 10, also explain more about seeking redress and remedies for violations of ESC rights.

If problems cannot be solved at the school level, parents can approach the local administration authorities. For more serious cases, they can complain to the Ministry of Education or the national human rights commission.

3.10 Analysing education budgets

Governments have an obligation to use their maximum available resources to achieve ESC rights including the right to education. Analysing budgets is an effective way to help improve access to the right to education.

Budgets can be analysed to show whether the government is investing money in key aspects of education. Over several years, the budget can show whether the government is taking deliberate, concrete and targeted steps towards building enough schools, training more teachers or reducing the costs of secondary and higher education.

For information about monitoring budgets, please refer to the Main Book, Part II, Section 7 and to the forthcoming budget monitoring booklet in the Haki Zetu series.

The following IHRIP/IBP publication provides specific guidance for analysing education budgets: "*Reading the books; Governments' budgets and the right to education*", available for download (together with other handbooks) from www.right-to-education.org/sites/r2e.gn.apc.org/files/Right_to_education_and_government_budgets%5B1%5D.pdf

Box 33: Budget monitoring by children in Uganda

In 2007, a group of Ugandan and international organisations started training children on their rights, the education system and budget monitoring. Children developed budget monitoring tools and used them to monitor budget expenditures and the delivery of textbooks and other learning materials. The monitoring revealed widespread corruption by teachers and officials, and led to the improvement of their schools and education.

Source: *Making the Budget Work for Education: Experiences, achievements and lessons from civil society budget work*. Commonwealth Education Fund. Available online: http://internationalbudget.org/wp-content/uploads/2011/01/Making_the_Budget_Work_for_Education.pdf

4As	Availability, Accessibility, Adaptability, Acceptability (see Section 1.2.3)
ACHPR	African Commission on Human and People's Rights (often called 'African Commission')
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACRWC	African Charter on the Rights and Welfare of the Child
ADEA	Association for the Development of Education in Africa
AU	African Union
BEAP	Basic Education in Africa Programme
CBO	Community-Based Organisation
CEC	Community Education Committee
CESCR	UN Committee on Economic, Social and Cultural Rights
CRC	UN Convention/Committee on the Rights of the Child
CRPD	UN Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
ECCE	Early Childhood Care and Education
ECOWAS	Economic Community Of West African States
EFA	Education for All (see Glossary)
ESC rights	Economic, Social and Cultural rights
FAPE	Fédération des Associations africaines de Parents d'Élèves et étudiants (African Federation of Parent Associations)
GDP	Gross Domestic Product (see Glossary)
GNP	Gross National Product (see Glossary)
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HRBA	Human rights-based approach (to development)
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT/IT	Information (and Communication) Technology
IDP	Internally Displaced Person
IBP	International Budget Partnership
IHRIP	International Human Rights Internship Program (of the Institute of International Education, USA)
INEE	Interagency Network for Education in Emergencies
MDG	Millennium Development Goal(s)
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organisation
PTA	Parent-Teacher Association

SACMEQ	Southern and Eastern Africa Consortium for Monitoring Educational Quality
SMC	School Management Committee
TVE(T)	Technical and Vocational Education (and Training)
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	UN Educational, Scientific and Cultural Organisation
UNICEF	UN Children's Fund

- 1 Committee on Economic, Social and Cultural Rights (CESCR) General Comment No. 13 on the right to education. Available on the internet by clicking the appropriate General Comment and language on <http://www2.ohchr.org/english/bodies/cescr/comments.htm>.
- 2 See the Right to Education Project at www.right-to-education.org.
- 3 UN Press Release SG/SM/6268 23 June 1997.
- 4 *Education For All Global Monitoring Report 2010, Regional fact sheet Sub-Saharan Africa*. Available online: www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-fs-ssa.pdf.
- 5 UNICEF *State of the World's Children 2011*, Table 5, net enrolment ratio Sub-Saharan Africa 2005-2009. Available online: www.unicef.org/publications/index_57468.html.
- 6 UNESCO, *Global Education Digest 2011. Regional Profile: Sub-Saharan Africa*. Available online: www.uis.unesco.org/Education/Documents/GED2011_SSA_RP_EN.pdf.
- 7 For examples, see the World Bank & UNICEF 2009, *Abolishing School Fees in Africa: Lessons from Ethiopia, Ghana, Kenya, Malawi, and Mozambique*. Available online: www.unicef.org/publications/files/Aboloshing_School_Fees_in_Africa.pdf.
- 8 See pupil-teacher ratio tables in www.uis.unesco.org/Education/pages/teachers-statistics.aspx.
- 9 See the database at www.right-to-education.org (Fees in primary school by region, data from Katarina Tomasevki's *Free or fee: 2006 Global Report*); African countries which do not have free primary education available to all include: Angola, Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo-Brazzaville, Democratic Republic of Congo, Cote d'Ivoire, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Liberia, Mali, Mauritania, Mozambique, Namibia, Niger, São Tomé and Príncipe, Senegal, Sierra Leone, Swaziland, Togo and Zimbabwe.
- 10 The African Union and the New Economic Plan for Africa's Development (NEPAD) have produced "decades of education for Africa" to address education. The second plan of action is available at www.nepad.org/system/files/Second%20Decade%20of%20Education%202006-2015.pdf.
- 11 See the Dakar Framework for Action at: <http://unesdoc.unesco.org/images/0012/001211/121147e.pdf>.
- 12 According to education expenditure figures (Table 19) available at: <http://stats.uis.unesco.org/unesco/ReportFolders/ReportFolders.aspx>.
- 13 South Africa, the Comoros, São Tomé e Príncipe and South Sudan have not yet ratified the ICESCR.
- 14 CESCR General Comment No. 13, paragraphs 21 to 24.
- 15 CESCR General Comment No. 13, paragraph 7.
- 16 Prof. Mzobanzi Mboya, AU Education Sector Head, NEPAD Education and Training Report, 2009. Available online: www.nepad.org/system/files/NEW_NEPAD_AR_LR_FINAL_ENGLISH.pdf.
- 17 Available online: ICESCR, Article 14.
- 18 Education statistics. Available online: www.NationMaster.com.

- 19 NEPAD e-schools initiative. Available online: www.eafricacommission.org/projects/127/nepad-e-schools-initiative.
- 20 ICESCR General Comment No. 13, paragraph 15.
- 21 Classic Encyclopedia. Available online: www.1911encyclopedia.org/Technical_Education.
- 22 Second Decade of Education for Africa (2006-2015) Plan of Action, section 2.6. See link in Endnote 10.
- 23 John Aitchison and Hassana Alidou, *The State and Development of Adult Learning and Education in Sub-Saharan Africa, Regional Synthesis Report*, UNESCO Institute for Lifelong Learning, 2009. Available online: www.unesco.org/fileadmin/MULTIMEDIA/INSTITUTES/UIIL/confintea/pdf/GRALE/confinteavi_grale_africa_synthesis_en.pdf.
- 24 Second Decade of Education for Africa (2006-2015) Plan of Action. See link in Endnote 10.
- 25 CRC, Article 19. See reference in Appendix 1.
- 26 CRC General Comment No. 8 (2006): *The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment* (Arts. 19; 28, Para. 2; and 37, inter alia). See reference in Appendix 1.
- 27 *War-zones forever? Tackling violence in South Africa's schools*. Available online: www.eldis.org/id21ext/e2ch1g1.html.
- 28 Plan International (2008). *Learn without fear: The Global Campaign to End Violence in Schools*. Available online: <http://plan-international.org/learnwithoutfear>.
- 29 Consultancy Africa Intelligence (CAI). Available online: www.polity.org.za/article/towards-universal-primary-education-africas-progress-in-meeting-the-2nd-millennium-development-goal-2010-10-06.
- 30 Report of the United Nations Special Rapporteur on the right to education (A/65-162, 23 July 2010) and Cairo Programme of Action of the International Conference on Population and Development, September 1994.
- 31 See www.eenet.org.uk/resources/docs/lessncbr.php.
- 32 UNESCO Convention against discrimination in education, Article 3 (e). See reference in Appendix 1.
- 33 *The right to education of migrants, refugees and asylum seekers*. Report of the Special Rapporteur on the right to education, Vernor Muñoz (see paragraphs 33 and 34), 16 April 2010, A/HRC/14/25.
- 34 On www.ippmedia.com/frontend/index.php one can check the news about the constitutional review in Tanzania, also in relation to the right to education (see e.g. www.ippmedia.com/frontend/index.php?l=46952). The commission was installed after campaigning by NGOs (see www.ippmedia.com/rontend/?l=25528).
- 35 The ActionAid Right to Education website has a database of national constitutional provisions and laws on education – see Country Database at www.right-to-education.org.
- 36 Statistics from Southern African countries are available on the SACMEQ website, www.sacmeq.org.
- 37 See UNICEF's statistical tables at http://www.unicef.org/statistics/index_24183.html.
- 38 See the decision at: http://www1.umn.edu/humanrts/africa/comcases/25-89_47-90_56-91_100-93.html
- 39 Report of the Fourth CSO Forum on the African Charter on the Rights and Welfare of the Child (ACRWC). Available online: www.childwatch.uio.no/publications/conference-proceedings/fourth-cso
- 40 South Africa's School Infrastructure Performance Indicator System PEB Exchange 2007/6. Available online: www.oecd.org/dataoecd/55/44/38601532.pdf.

Terms in *italics* represent entries found elsewhere in the Glossary.

B

Basic education

Basic education is part of life-long learning, both formal and informal. It is directed to the full development of the human personality. It uses learners' experiences as the basis of the curriculum and develops capacity for comprehension and critical thinking. It promotes the respect for human rights and values such as human dignity, tolerance, solidarity, democratic citizenship and a sense of justice and equity (see Section 1.6). In a narrow sense, basic education involves the education provided to adults and children who have not (yet) had full primary education, including pre-primary education. Commonly, it includes literacy, numeracy and basic life skills. In a broader sense, it includes primary education and lower secondary education as well.

Basic literacy

The minimum but adequate ability to read and write. Also see *literacy* and *functional literacy*.

Bullying

A form of repeated emotional, physical or verbal abuse to enforce the bully's power over her or his target. It can occur at home, at school or at work. It can affect both pupils and teachers.

C

Corporal punishment

Physical force intended to cause some degree of pain or discomfort for the purposes of discipline, correction, and control.

Curriculum

All the learning which is planned and guided by the school, more specifically the learning programme including the subject matter and methods, the set of courses offered and their content. The plural form of "curriculum" is "curricula".

D

Dignity

Dignity is being treated with respect as a human being, regardless of race, gender or other status. It is having a sense of self-worth. People are born with dignity and do not have to earn it. Living in dignity is being able to enjoy one's human rights and freedoms.

Disaggregated information or data

Information or data that is separated into categories, for example separate figures for women and men, boys and girls, for different age groups, different regions or districts, for different religious, ethnic or social groups. This is necessary for detecting and eliminating discrimination.

Distance learning

Learning from specially-prepared programmes on the radio or television or Internet. The curriculum and materials are designed by an educational institution and students can take examinations and receive certificates. In some cases, lecture notes and textbooks are sent to students by post, but mostly they can be downloaded from the internet. Interactions between learners and teachers and mutually between learners can also take place through mobile phones or on the internet (through "chat" functions, discussion forums, telephone or video conferencing). Also see *open learning*.

Drop-out

There are various definitions. One is "a student who has stopped attending school and has no intention of returning." Reasons include bullying, pregnancy, learning difficulty, lack of support from parents or teachers.

Dyslexia

An inherited learning disorder that affects people's ability to recognise and understand written words. It cannot be cured but specialist teachers can lessen the problem, particularly through using information technology. Ways to recognise dyslexia can be found on the Internet.

E

Education for All (EFA)

A global movement led by the UN, aiming to meet the learning needs of all children, youth and adults by 2015. The movement was launched in 1990 at the World Conference on Education for All in Jomtien, Thailand, and later re-affirmed and further formulated in Dakar, Senegal, in the year 2000.

Enrol

To join a school, to have one's name placed on a register. Also see *gross* and *net enrolment rate*.

Experiential learning

Learning by doing, and drawing lessons from experience. For example, farmers learn to identify the most productive crops by planting different varieties of tomato and keeping records of which varieties perform best. The "experiential learning cycle" provides a learning framework for adults (or children) that includes practical assignments, reflecting on them, analysing behaviour and drawing general lessons, and then testing the learnings.

F**Fellowship system**

A system to provide financial grants for higher education, so that students can move to advanced levels of education, including to become a fellow, a postgraduate researcher, at a university. CESCO General Comment No. 13 stipulates that such a system should "enhance equality of educational access for individuals from disadvantaged groups". Financial grants for education are also called "scholarships".

Functional literacy

The level of skill in reading and writing that a person needs in order to cope with everyday adult life. Also see *basic literacy*.

Fundamental education

Education for all those, whatever their age, who have not yet satisfied their basic learning needs. It is also called *basic education* and *life-long learning*.

G**Gifted child**

A child with outstanding abilities and (usually) high levels of performance. Gifted children's education needs to be relevant to their special abilities.

Gross Domestic Product (GDP)

The total market value of all goods and services produced within the country in a given period of time, usually a year.

Gross enrolment rate

The number of pupils in education (of any age) as a percentage of the total number of official school age population.

Gross National Product (GNP)

The total market value of all goods and services produced by citizens of a country, on its land or on foreign land, within a given period of time, usually a year.

H

Hidden costs

Hidden costs of education are the costs parents have to pay for such items as uniforms, writing materials or transport.

Higher education

Education that takes place after leaving secondary school, especially at a university or college.

I

Inspectorate

A body set up by the ministry of education which sends inspectors into schools to evaluate the quality of education, the extent to which this meets the needs of pupils and the purposes of education, and the quality of the school leadership.

L

Life-long learning

See *basic education*.

Literacy

Basic literacy is the ability to read and write. A longer definition includes the ability to understand, interpret, communicate and use printed and written materials. Also see *functional literacy*.

N

Net enrolment rate

The number of pupils in a particular level (primary, secondary and higher/tertiary) of the official ages for those levels as a percentage of the total population of that age group. Also see *gross enrolment rate*.

Numeracy

Understanding and being able to use numbers and other mathematical concepts. Being able to cope with numbers as a part of life at home, at work, in the market and for participating in community life.

**Ombudsman**

A government official who investigates citizens' complaints against the government or its functionaries. The ombudsman (the term is meant to be gender neutral) is usually assisted by a staff of investigators and lawyers. For more information, see the Haki Zetu Main Book.

Open learning

Learning or teaching by using “digitalised” materials published on the Internet. Materials on a wide range of subjects can be downloaded without payment. Open learning does not provide support to the student, nor does it set examinations or award degrees. Also see *distance learning*.

Original research

The gathering and analysis of first hand information obtained through interviews, pilot projects and other studies in order to increase knowledge and understanding.

**Parent association**

A body of parents that carry out activities to support the school that their child or children attend. A parent-teacher association (PTA) includes teachers. The aim of a PTA is usually to promote participation of parents or guardians in school-level decision-making and sponsor or facilitate fundraising initiatives for supplemental educational materials.

Pre-reading

Developing the skills that young children need in order to become readers. For example, learning the shapes and sounds of letters, matching shapes and recognising rhyming words.

Pre-school education

The provision of learning to children before the commencement of statutory and obligatory education, usually up to the ages of three to five, depending on the jurisdiction.

Provider

Any organisation providing education or training.

Pupil-teacher ratio

Average number of pupils per teacher at a specific level of education.

S

School board

A governing body to oversee and monitor the school administration which is appointed and acts in accordance with the education laws. School boards also have responsibility for preparing the school budget. In many countries they have different names, like School Management Committees (SMCs) in Uganda and Community Education Committees (CECs) in Somalia and Somaliland.

Structural adjustment

Economic policies for developing countries that have been promoted by the World Bank and the International Monetary Fund (IMF) since the early 1980s as a condition for getting loans from these international financial institutions. They usually include "free market" policy measures, such as privatisation of government services, slashing of government spending (such as on health and education), and the reduction of trade barriers.

Student council

A group of students elected by their fellow students who can make suggestions about school affairs and bring problems to the head teacher.

T

Technical education

Practical education to provide expertise in a particular group of techniques often related to a specific trade or occupation. See also *vocational education*.

V

Vocational education/training

Education that prepares trainees for jobs that are based on manual or practical activities, traditionally non-academic, related to a specific trade, occupation, or vocation. It is often used in combination with technical education: TVET = Technical and Vocational Education and Training.

Appendix 1: International and regional human rights laws and standards

Appendix 2: ActionAid Right to Education Project Charter on Promoting Rights in Education and the Dakar Framework for Action

Appendix 3: Indicators for monitoring the 4As

Appendix 4: Sources and resources on the right to education

Appendix 5: Campaigns, NGOs and INGOs working on the right to education



Appendix 1: International and regional human rights laws and standards

This Appendix consists of a table to enable readers to select appropriate quotations on the right to education from international and regional human rights standards that may be used in reports or recommendations to governments.

Using the national law and regional and international standards, particularly when writing and talking to officials, demonstrates that human rights workers are aware of the State's obligations. This should lead to an increase in the impact of their work.

For further information about using regional and international standards see the Main Book I, Part I, Section 3.3, and Part II, Section 10.

How to use the table

- Look for the topic of interest in column 1. Column 2 either gives the relevant right or simply refers to the treaty and article.
- Readers should look for the full text of these articles in the websites that are given for this purpose.

Also, a compact disc (CD) containing most relevant international human rights instruments is available in the Haki Zetu series.

List of international and regional human rights treaties and other instruments

International and regional treaties and declarations

- The Universal Declaration of Human Rights (UDHR)
www.ohchr.org/en/udhr/pages/introduction.aspx
- The African Charter on Human and People's Rights (ACHPR), also known as the Banjul Charter. www.achpr.org/instruments/achpr/
- The African Charter on the Rights and Welfare of the Child (ACRWC)
www.achpr.org/instruments/child/
- Convention on the Rights of the Child (CRC)
<http://www2.ohchr.org/english/law/crc.htm>
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
<http://www2.ohchr.org/english/law/cescr.htm>
- Convention on the Rights of Persons with Disabilities (CRPD)

www.un.org/disabilities/convention/conventionfull.shtml

- International Convention relating to the Status of Refugees (Refugee Convention)
<http://www2.ohchr.org/english/law/pdf/refugees.pdf>
- Convention on the Elimination of All forms of Discrimination against Women (CEDAW)
<http://www2.ohchr.org/english/law/cedaw.htm>
- Convention against Discrimination in Education
<http://www2.ohchr.org/english/law/education.htm>
- Convention on Technical and Vocational Education
<http://www1.umn.edu/humanrts/instreetechedu1989.html>
- The UN Declaration on Human Rights Education and Training.
www.hrea.org/A_HRC_RES_16_1%20UNDHRET_April%202011.pdf
- Declaration on the Rights of Indigenous Peoples
<http://social.un.org/index/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx>

General Comments

- Human rights bodies - General Comments (for their importance, see Main Book, Part 1, Section 3.5.2)
<http://www2.ohchr.org/english/bodies/treaty/comments.htm>
- General Comments by the UN Committee on the Rights of the Child (CRC).
<http://www2.ohchr.org/english/bodies/crc/comments.htm>
 - No. 1: The aims of education
 - No. 7: Implementing child rights in early childhood
 - No. 8: The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment
 - No. 9: The rights of children with disabilities
 - No. 11: Indigenous children and their rights under the Convention
 - No. 13: The right of the child to freedom from all forms of violence
- General Comments by the UN Committee on Economic Social and Cultural Rights (CESCR) and any other relevant articles.
<http://www2.ohchr.org/english/bodies/cescr/comments.htm>
 - No. 3: The nature of States parties' obligations
 - No. 9: The domestic application of the Covenant
 - No. 11: Plans of action for primary education
 - No. 13: The right to education
 - No. 16: The equal right of men and women to the enjoyment of all economic, social and cultural rights (Art. 3)
 - No. 20: Non-discrimination in Economic, Social and Cultural Rights (Art. 2, para. 2)
 - No. 21: Right of everyone to take part in cultural life
- General Comments by the UN Human Rights Committee (Committee on Civil and Political Rights).
<http://www2.ohchr.org/english/bodies/hrc/comments.htm> No 18: Non-discrimination

International and regional declarations, plans and programmes

- Millennium Development Goals. www.un.org/millenniumgoals/index.shtml
- World Declaration on Education for All.
<http://www1.umn.edu/humanrts/instreet/educonference1990.html>
- Education for All: Meeting Our Collective Commitments.
<http://www1.umn.edu/humanrts/instreet/edumeeting2000.html>
- AU Second Decade for Education in Africa (2006-2015).
www.nepad.org/system/files/Second%20Decade%20of%20Education%202006-2015.pdf
- Global Recommendations for Primary and Secondary School Teacher Training for Human Rights Education.
www.hrusa.org/workshops/HREWorkshops/usa/GlobalRecommendationsPlan.htm
- World Programme for Human Rights Education – Plan of action.
<http://www1.umn.edu/humanrts/instreet/worldprogramme.htm>

Table 5: Human rights instruments - extracts from relevant articles

Topic	Relevant articles
<p>The right to education, purposes of education</p>	<p>UDHR, Article 26</p> <p>1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.</p> <p>2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.</p> <p>3. Parents have a prior right to choose the kind of education that shall be given to their children.</p> <p>ICESCR, Article 13</p> <p>1. The States Parties [...] agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p style="text-align: right;"><i>> continued</i></p>

Topic	Relevant articles
	<p>CRC, Article 29</p> <p>1. States Parties agree that the education of the child shall be directed to:</p> <p>(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;</p> <p>(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;</p> <p>(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;</p> <p>(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;</p> <p>(e) The development of respect for the natural environment.</p> <p>2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.</p> <p>The CRC Committee, in its General Comment No. 1, paragraph 9, elaborates on Article 29.</p> <p>African Charter on Human and Peoples' Rights Article 17 (1)</p> <p>Every individual shall have the right to education.</p>
<p>Human Rights Education</p>	<p>UN Declaration on Human Rights Education and Training Article 7</p> <p>1. States, and where applicable relevant governmental authorities, have the primary responsibility to promote and ensure human rights education and training, developed and implemented in a spirit of participation, inclusion and responsibility.</p> <p>2. States should create a safe and enabling environment for the engagement of civil society, the private sector and other relevant stakeholders in human rights education and training, in which the human rights and fundamental freedoms of all, including of those engaged in the process, are fully protected.</p> <p style="text-align: right;"><i>> continued</i></p>

Topic	Relevant articles
<p>Free and compulsory primary education</p> <p>Progressive introduction of free education at secondary and higher levels</p> <p>Basic education</p> <p>System of schools and conditions of teaching staff</p>	<p>ICESCR, Article 13</p> <p>2. The States Parties to the present Covenant recognise that, with a view to achieving the full realisation of this right:</p> <p>(a) Primary education shall be compulsory and available free to all;</p> <p>(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;</p> <p>(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education [...]</p> <p>(d) Basic education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;</p> <p>(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.</p>
<p>Affordability</p>	<p>CESCR General Comment No. 13, Paragraph 6 (b) (iii)</p> <p>Economic accessibility - education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13 (2) in relation to primary, secondary and higher education: whereas primary education shall be available “free to all”, States parties are required to progressively introduce free secondary and higher education [...]</p>
<p>Free and compulsory primary education</p>	<p>CRC, Article 28</p> <p>1. States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:</p> <p>(a) Make primary education compulsory and available free to all;</p> <p style="text-align: right;"><i>> continued</i></p>

Topic	Relevant articles
<p>Progressive introduction of free education at secondary and higher levels (and offering financial assistance)</p> <p>Reduction of drop-out</p> <p>School discipline</p> <p>International cooperation</p>	<p>(b) 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 financial assistance in case of need;</p> <p>(c) Make higher education accessible to all on the basis of capacity by every appropriate means;</p> <p>(d) Make educational and vocational information and guidance available and</p> <p>(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.</p> <p>2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.</p> <p>3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy through-out 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.</p>
<p>Free and compulsory basic education</p> <p>Other levels of education to be made free</p> <p>Reduction of drop-out</p> <p>Special measures</p>	<p>African Charter on the Rights and Welfare of the Child (ACRWC) Article 11: Education</p> <p>1. Every child shall have the right to an education [...]</p> <p>3. States Parties [shall]</p> <p>(a) provide free and compulsory basic education;</p> <p>(b) encourage the development of secondary education in its different forms and to progressively make it free and accessible to all;</p> <p>(c) make higher education accessible to all on the basis of capacity and ability by every appropriate means;</p> <p>(d) take measures to encourage regular attendance at schools and the reduction of drop-out rates;</p> <p>(e) take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.</p> <p style="text-align: right;">> <i>continued</i></p>

Topic	Relevant articles
<p>The right to non-discrimination in education</p>	<p>CRC Article 30 [...] a child belonging to [...] a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.</p> <p>Convention against Discrimination in Education Article 1 [...] the term "discrimination" includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education.</p> <p>Article 4 The States Parties [will] develop and apply a national policy which [...] will tend to promote equality of opportunity and of treatment in the matter of education.</p>
<p>Education rights of women and girls</p>	<p>Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) Article 10 States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:</p> <p>(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;</p> <p>(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;</p> <p>(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;</p> <p style="text-align: right;"><i>> continued</i></p>

Topic	Relevant articles
	<p>(d) The same opportunities to benefit from scholarships and other study grants;</p> <p>(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;</p> <p>(f) The reduction of female student drop-out rates and the organisation of programmes for girls and women who have left school prematurely;</p> <p>(g) The same opportunities to participate actively in sports and physical education;</p> <p>(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.</p>
<p>Education rights of indigenous peoples</p>	<p>Declaration on the Rights of Indigenous Peoples, Article 14</p> <p>1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.</p> <p>2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.</p> <p>3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.</p>
<p>Education rights of refugees and IDPs</p>	<p>Convention Relating to the Status of Refugees, Article 22 - Public education</p> <p>1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.</p> <p>Full text of the Convention available online: http://www2.ohchr.org/english/law/refugees.htm</p> <p>African Union Convention on the Protection and Assistance of Internally Displaced Persons, Article 9.2 (b) (basic services)</p> <p>States Parties shall provide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include [...] education [...].</p> <p>Full text of the Convention available online: http://au.int/en/content/african-union-convention-protection-and-assistance-internally-displaced-persons-africa</p> <p style="text-align: right;">> <i>continued</i></p>

Topic	Relevant articles
<p>Education rights of persons with disabilities</p>	<p>Convention on the Rights of Persons with Disabilities Article 9 - Accessibility</p> <p>1. To [...] ensure to persons with disabilities access, on an equal basis with others, to [...] inter alia:</p> <p>(a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces [...]</p> <p>Article 24 - Education</p> <p>1. States Parties [...] shall ensure an inclusive education system at all levels and life long learning [...]</p> <p>2. (d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;</p> <p>(e) Effective individualised support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion [...]</p>
<p>Education rights of prisoners and detainees</p>	<p>Rules for the Protection of Juveniles Deprived of their Liberty E. Education, vocational training and work - Rule 38.</p> <p>Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided outside the detention facility in community schools wherever possible [...] by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty.</p> <p>Special attention should be given [...] to the education of juveniles of foreign origin or with particular cultural or ethnic needs [or] learning difficulties [...].</p> <p>More relevant articles in the full text of the Rules (esp. under Section E) available online: http://www2.ohchr.org/english/law/res45_113.htm</p> <p>Standard Minimum Rules for the Treatment of Prisoners Education and Recreation - Rule 77.</p> <p>(1) Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterates and young prisoners shall be compulsory and special attention shall be paid to it by the administration.</p> <p>(2) So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.</p> <p>Full text of the Rules available online: http://www2.ohchr.org/english/law/treatmentprisoners.htm</p>



Appendix 2: ActionAid Right to Education Project Charter on Promoting Rights in Education and the Dakar Framework for Action

ActionAid Right to Education Project, Charter on Promoting Rights in Schools

All schools must respect the following fundamental rights:

- 1 Right to free and compulsory education: there should be no charges, direct or indirect, for primary education. Education must gradually be made free at all levels.
- 2 Right to non-discrimination: schools must not make any distinction in provision based on sex, race, colour, language, religion, political opinion, nationality, ethnicity, ability, or any other status.
- 3 Right to adequate infrastructure: there should be an appropriate number of classrooms, accessible to all, with adequate and separate sanitation facilities for girls and boys. Schools should be built with local materials and be resilient to natural risks and disasters.
- 4 Right to quality trained teachers: schools should have a sufficient number of trained teachers of whom a good proportion are female; teachers should receive good quality pre-service and in-service training with built-in components on gender sensitivity, non-discrimination, and human rights. All teachers should be paid domestically competitive salaries.
- 5 Right to a safe and non-violent environment: children should be safe on route to and in school. Clear anti-bullying policies and confidential systems for reporting and addressing any form of abuse or violence should be in place.
- 6 Right to relevant education: the curriculum should not discriminate and should be relevant to the social, cultural, environmental, economic context and language of learners.
- 7 Right to know your rights: schools should teach human rights education and children's rights in particular. Learning should include age-appropriate and accurate information on sexual and reproductive rights.
- 8 Right to participate: girls and boys have the right to participate in decision-making processes in school. Appropriate mechanisms should be in place to enable the full, genuine and active participation of children.
- 9 Right to transparent and accountable schools: schools need to have transparent and effective monitoring systems. Both community and children should be able to participate in accountable governing bodies, management committees and parents' groups.
- 10 Right to quality learning: girls and boys have a right to a quality learning environment and to effective teaching processes so that they can develop their personality, talents and physical and mental abilities to their fullest potential.

Source: Right to Education Project website: www.right-to-education.org.

The resource pack with the charter is available at www.right-to-education.org/node/1374

This website also gives advice for using the charter to promote rights in schools.

EDUCATION FOR ALL

Africa Regional Framework for Action and Dakar Framework for Action

Africa Regional Framework for Action

Education for All - A Framework for Action in Sub-Saharan Africa: Education for African Renaissance in the Twenty-first Century

Adopted by the Regional Conference on Education for All for Sub-Saharan Africa.

Johannesburg, South Africa, 6-10 December 1999

www.unesco.org/education/efa/wef_2000/regional_frameworks/frame_africa.shtml

Goals of the Dakar Framework for Action, 2002

- (i) expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children;
- (ii) ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality;
- (iii) ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes;
- (iv) achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
- (v) eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality;
- (vi) improving all aspects of the quality of education and ensuring excellence of all so that recognised and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

The Dakar Framework for Action is available online at:

<http://unesdoc.unesco.org/images/0012/001211/121147e.pdf>.



Appendix 3: Indicators for monitoring the 4As

Availability indicators

Indicator	Possible questions
Early childhood care and education	<ul style="list-style-type: none"> • Is it available? If not, • Are there plans to introduce it?
Primary education	<ul style="list-style-type: none"> • Is it free and compulsory? • Is the budget sufficient? • If primary education is not free and compulsory, has the government made a plan?
Secondary education (including technical and vocational education)	<ul style="list-style-type: none"> • Is the government taking concrete steps towards achieving free secondary and higher education?
Tertiary education (including technical and vocational education)	<ul style="list-style-type: none"> • Is the government taking concrete steps towards achieving free tertiary (university) education?
Basic education including adult basic and literacy education	<ul style="list-style-type: none"> • What kinds of basic education are available? • For which groups?
Working conditions of teachers	<ul style="list-style-type: none"> • Do teachers have satisfactory working conditions?
School infrastructure	<ul style="list-style-type: none"> • Are there enough buildings? • Are buildings safe? • Do they have adequate sanitation facilities?

Accessibility indicators

Indicator	Possible questions
Physical obstacles	<ul style="list-style-type: none"> • Are there obstacles that prevent pupils, including those with disabilities, from access to education? • What is the average travelling time to school?
Economic obstacles	<ul style="list-style-type: none"> • Do parents have to pay school fees? • What are the hidden costs?
Administrative obstacles	<ul style="list-style-type: none"> • Are there any laws, such as laws preventing child labour, which need to be enforced to ensure accessibility? • Should any laws or regulations be abolished, for example the requirement to show a birth certificate in order to enrol?

< *continued*

Accessibility indicators

Gender obstacles	<ul style="list-style-type: none"> • What are the male/female enrolment rates? • Does the state have a policy to achieve gender parity (see Section 1.12)?
Socio-cultural obstacles	<ul style="list-style-type: none"> • Is education accessible to all without discrimination? • Are positive actions made to reach the most vulnerable?
Out-of-school children	<ul style="list-style-type: none"> • What is being done to reduce drop-out?

Acceptability and adaptability indicators

Indicator	Possible questions
Safety	<ul style="list-style-type: none"> • Is the institution safe? Is violence tolerated? • Are minimum health standards in place? • Is the school adapting to the needs of disabled pupils?
Qualified teachers	<ul style="list-style-type: none"> • Are there sufficient teachers? • Are they trained to an appropriate standard? • Are they properly supported and supervised?
Gender	<ul style="list-style-type: none"> • Are the following acceptable to women and girls: Toilet facilities, teaching methods, textbooks, adequate number of female teachers?
Discipline	<ul style="list-style-type: none"> • Is discipline maintained in a fair and sensitive way? • Does discipline include preventing bad behaviour and addressing the causes of bad behaviour? • Are punishments humane and appropriate?
Religion	<ul style="list-style-type: none"> • Does the school adapt to the needs of people of different religions and cultures?
Language	<ul style="list-style-type: none"> • Is education available in the main languages of the country as well as the national language? • Is it adaptable to the needs of minority language groups?

NOTE: Education professionals should also know about the indicators for monitoring the Plan of Action for the Second Decade of Education for Africa. See: *Indicators and data for monitoring the Plan of Action for the Second Decade for Education in Africa* (2008). Available online: www.africa-union.org/root/ar/index/INDICATORS%20AND%20DATA%20FOR%20MONITORING%20-REPORT.pdf



Appendix 4: Sources and resources on the right to education

Organisations	Resources	Websites/ addresses
ActionAid International	<i>Rights Respecting School Charter; Education Rights: A Guide for Practitioners and Activists</i>	www.actionaid.org
BEAP	Basic Education in Africa Programme	See Box 7
Commonwealth Education Fund (Global Campaign for Education, Save the Children, Oxfam, ActionAid, Idasa)	<i>Making the Budget Work for Education: Experiences, achievements and lessons from civil society budget work</i>	http://internationalbudget.org/wp-content/uploads/2011/01/Making_the_Budget_Work_for_Education.pdf
Global Campaign for Education	<i>Global Campaign for Education's Communications Tool Kit 2011</i> – contains useful information for producing news articles	www.campaignforeducation.org
HREA – Human Rights Education Associates	HREA usually has an advanced (academic) course on the right to education	www.hrea.org
IHRIP - Institute of International Education	<i>Reading the books: Government's budgets and the right to education</i>	www.iie.org/ihrp http://humanrightsbudgetwork.org/ www.right-to-education.org/sites/r2e.gn.apc.org/files/Right_to_education_and_government_budgets%5b1%5d.pdf
Interagency Network for Education in Emergencies (INEE)	<i>Handbook for Minimum Standards in Education: Preparedness, Response, Recovery.</i> NGOs can join INEE.	www.ineesite.org
Office of the High Commissioner for Human Rights (OHCHR)	Many resources may be found on: http://www2.ohchr.org/english/issues/education/training/unesco.htm	www.ohchr.org

> continued

Organisations	Resources	Websites/ addresses
Right to Education Project	UN Documents, Reports of the Special Rapporteur, other reports	www.right-to-education.org
SACMEQ	The Southern and Eastern Africa Consortium for Monitoring Educational Quality (SACMEQ). Research into aspects of education; sharing knowledge on quality education in Africa	www.sacmeq.org
Save the Children	<i>Rewrite the Future</i> : a campaign for quality education for children affected by conflict	www.savethechildren.org
Special Rapporteur on the Right to Education	Produces reports on the right to education, carries out country visits. Information and complaints can be submitted (specifying the pertinent special procedure) to E-mail: urgent-action@ohchr.org	http://www2.ohchr.org/english/issues/education/rapporteur/index.htm
UNICEF	<i>Implementation Handbook for the Convention of the Rights of the Child</i> (3rd edition)	www.unicef.org/publications/index_43110.html
UNESCO	<ul style="list-style-type: none"> • <i>EFA Global Monitoring Reports</i> • <i>Manual on Rights-based Education</i> (UNESCO Bangkok) • <i>A Human Rights-Based Approach to Education for All</i> (UNICEF and UNESCO) • <i>The Dakar Framework for Action</i> (including a commentary and the Africa regional framework) • Statistics database 	www.unesco.org http://unesdoc.unesco.org/images/0013/001351/135168e.pdf http://unesdoc.unesco.org/images/0015/001548/154861e.pdf http://unesdoc.unesco.org/images/0012/001211/121147e.pdf
UNGEI – United Nations Girls Education initiative	Works to achieve girls' equality in education. Resources by various organisations are filed according to world region. c/o Unicef Education Sector Programs	www.ungei.org www.scribd.com/doc/32848446/A-Journey-to-Gender-Equality-in-Education



Appendix 5: Campaigns, NGOs and INGOs working on the right to education

Organisation and contact information	Description
<p>ActionAid International Address: PostNet suite #248 Private bag X31, Saxonwold 2132 Johannesburg, South Africa Tel: +27 11 731 4500 Fax: +27 11 880 8082 E-mail: mail.jhb@actionaid.org Website: www.actionaid.org</p>	<p>Works with local partners to fight poverty and injustice worldwide. Helps them fight for and gain their rights, including their right to education.</p>
<p>Africa Educational Trust (AET) Address: P O Box 15038 - 00100 Suswa 5 Longonot Place Apts Harry Thuku Road Nairobi, Kenya Tel: +254 20 2217 012 Ext. 211 Fax: +254 20 2252129 E-mail: info@africaeducationaltrust.org Website: www.africaeducationaltrust.org</p>	<p>AET's aim is to help children and young people in Africa to get a good education. AET has been working to improve education in Africa for over fifty years. AET works in South Sudan, Kenya, Uganda, Somalia, South Africa, and Swaziland.</p>
<p>Africa Network Campaign on Education for All (ANCEFA) Address: ANCEFA Regional Secretariat Dakar, BP 3007, Dakar-Yoff Senegal Tel: +221 33 824 22 44 Fax: +221 33 824 13 63 E-mail: ancefa@orange.sn Website: www.ancefa.org ANCEFA also has three program offices, in Kenya, Togo and Zambia</p>	<p>ANCEFA emerged from the World Education Forum held in Dakar 2000. It works to promote, enable and build capacity of African civil society to advocate and campaign for access to free quality education for all. ANCEFA operates in 34 African countries through national coalitions engaged in education and human rights in general.</p>

Organisation and contact information	Description
<p>Aide et Action International Address: Rue des Paquis, 11 - 1201 Geneva, Switzerland Tel.: +41 (0)22 716 52 10 Website: www.aide-et-action.org</p>	<p><i>Aide et Action</i> is a mainly Francophone international NGO focused on achieving access to quality education for all.</p>
<p>Association for the Development of Education in Africa (ADEA) Address: Development Bank (ADB), Temporary Relocation Agency 13 avenue du Ghana, B.P 323 1002-Tunis - Belvedere, Tunisia Tel: +216 71 10 39 00 E-mail: adea@afdb.org Website: www.adeanet.org</p>	<p>ADEA is a forum for policy dialogue on education policies. It provides a wide range of publications on education. It has various working groups, discussions and conferences.</p>
<p>Autre Vie (AV) Address: Rue Houinmè Assrotinsa 512, 02BP 685 Porto-Novo, Benin Tel: 00229 20 22 62 07 or 00229 90 94 29 01 Fax: 00229 20 22 62 07 E-mail: ongautrevie@yahoo.fr Website: www.ongautrevie.org</p>	<p>AV lobbies governments and the United Nations, provides training or education on child rights, carries out research on child rights, undertakes legal casework on behalf of children, works directly with children.</p>
<p>Cameroon Deaf Empowerment Organisation (CDEO) Address: P. O. Box 12284 Yaounde, Cameroon Tel: (237) 7434567 E-mail: cdeocrs@yahoo.fr Website: www.cdeocrs.org</p>	<p>CDEO works to promote and protect the rights of deaf children and adults. It raises awareness of deafness and for access to sign language and sign language Interpreters.</p>
<p>Child Rights International Network (CRIN) address: East Studio2, Pontypool Place London, SE1 8QF United Kingdom Tel: +44 20 7401 2257 Email: info@crin.org Website: www.crin.org</p>	<p>CRIN is a global children's rights network. It connects to more than 2,000 organisations working on children's rights and provides access to a large resource database, also on education.</p>

Organisation and contact information	Description
<p>Curious Minds Address: P.O.BOX 13386 ACCRA, Ghana Tel: +233 (0)20 8117975 Email: ggyimahboat@yahoo.com</p>	<p>Curious Minds raises awareness on child rights issues in the country mainly through the media. It lobbies policy makers and stakeholders to actively include children and young people in policy formulation.</p>
<p>Forum for African Women Educationalists (FAWE) Address: Regional Secretariat PO Box 21394-00505 Ngong Road, Nairobi, Kenya Tel: +254 20 387 3131 / 387 3351 Fax: +254 20 3874150 E-mail: fawe@fawe.org Website: www.fawe.org</p>	<p>FAWE is a pan-African NGO working in 32 African countries to, among other things, empower girls and women through gender-responsive education, influence government policy, and build public awareness.</p>
<p>Forum for Education NGOs in Uganda (FENU) E-mail: forumforeducation@gmail.com Website: http://fenu.or.ug/</p>	<p>Forum for Education NGOs in Uganda is a platform for all NGOs working in Education in Uganda. It co-ordinates NGO efforts in order to share best practice and campaign for a change in education policy and practice in the country.</p>
<p>Ghana National Education Campaign Coalition (GNECC) Address: KA PMB 50, Airport – Accra Location: House No. 98, Boundary Road, East Legon Accra, Ghana Tel: 233-302-521650 Fax: 233-302-521651 E-mail: info@gnecc.org Website: www.gnecc.org</p>	<p>GNECC is a Ghanaian network of civil society organisations, professional groupings, educational/research institutions and other practitioners interested in promoting free quality basic education for all.</p>
<p>Global Campaign For Education Tel.: +27 (0)11 447 4111 Fax.: +27 (0)11 447 4138 E-mail: info@campaignforeducation.org Website: www.campaignforeducation.org</p>	<p>The Global Campaign for Education is made up of organisations and individuals who believe that it is imperative that everyone has an education.</p>

Organisation and contact information	Description
<p>Global Coalition to Protect Education from Attack (GCPEA) Secretariat Office 350 Fifth Avenue, 34th Floor New York, NY 10118-3299 T: +01.212.377.9446 Email: gcpea@protectingeducation.org Website: www.protectingeducation.org/</p>	<p>GCPEA was established in 2010 by organizations from the fields of education in emergencies and conflict-affected fragile states, higher education, protection, international human rights, and international humanitarian law who were concerned about on-going attacks on educational institutions, their students, and staff in countries affected by conflict and insecurity.</p>
<p>HakiElimu Address: P.O. Box 79401 739 Mathurudas/UN Road, Upanga Dar es Salaam, Tanzania Tel: + 255 22 2151 852/3 Fax: + 255 22 2152 449 E-mail: info@hakielimu.org Website: www.hakielimu.org</p>	<p>HakiElimu works to achieve equity and the respect for human rights and democracy in education. It helps communities to transform schools and influence policy making. It carries out research and monitors the government.</p>
<p>Right to Education Project/ActionAid International Address: 33-39 Bowling Green Lane London, EC1R 0BJ, UK Tel: +44 (0)20 3122 0561 Fax: +44 (0)20 7728 5667 E-mail: info@right-to-education.org Website: www.right-to-education.org</p>	<p>The Right to Education Project promotes accountability in education and carries out research into the right to education. Its website contains useful resources, including on human rights indicators on education.</p>
<p>Save the Children International Address: Second Floor, Cambridge House, 100 Cambridge Grove London, W6 0LE, UK Tel: +44 208 748 2554 Fax: +44 208 237 8000 E-mail: info@save-children-alliance.org Website: www.savethechildren.net</p>	<p>Works to help children to achieve a happy, healthy and secure childhood and protects their rights, including their right to education.</p>

