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**ECOSOC Annual Ministerial Review Regional Preparatory
Meeting for Africa**

***The Right to Education for All in Africa:
Reinforcing Quality and Equity***

**Session on
Education and the achievement of the Millennium Development Goals: Progress,
Challenges and the Path to Equity**

by

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Hon'ble Ministers,
Excellencies,
Distinguished Participants,
Ladies and Gentlemen:

I would like to start by thanking the Vice President of ECOSOC, the United Nations Department of Economic and Social Affairs, UNESCO and the Government of Togo for the opportunity to participate in this regional meeting preparing for the ECOSOC Annual Ministerial Review.

“The right to Education for All in Africa: Reinforcing quality and equity” are of course, central concerns to my work as Special Rapporteur on the right to education. In fact, last year, in my first statement to the UN General Assembly, I included equality of opportunity and quality in education as priority topics for my work as Rapporteur and announced I would also give special attention to the African continent. Thus, I am particularly glad to benefit from today's meeting, and look forward to continue this dialogue with the African region in my future activities as Rapporteur.

Excellencies,
Ladies and Gentlemen;

No one questions the importance of universal education for a sustainable social and economic development. No Government questions their duty to ensure the fulfillment of the right of every person to receive education at least at primary level. The commitments made by the international community in the Millennium Declaration to achieving the universal free primary education are well known. The very same commitments to reach the goal of universal basic education by 2015 were made at the World Forum on Education in Dakar. Beyond the known global commitments, the Africa counts with important regional initiatives such as the first, second and the third Decades of Education for Africa that further emphasized the same commitments to ensure access to education as a central step for development.

However, there remains a wide gap between commitments and the reality. We must, therefore, insist upon the *core obligation* of governments to respect and fulfill the universal right to primary education. We must equally insist upon the realization of the fundamental right of girls to education, gender equality in education and women's empowerment. Investing in education is investing in all MDGs.

We are here to look at progress and challenges. And more importantly, we are here to look at what can be done to effectively overcome these challenges and ensure we can better translate the commitments into actions that truly transform the reality of poverty and extreme inequality we still live in.

As you will see, in my opinion a stronger emphasis on the relationship between both the MDGs and EFA goals and human rights can greatly contribute to accelerate progress and ensure it is more sustainable. In particular, the human rights approach is central to the theme we are addressing here. In this, we must fully recognize the paramount importance of the right to education, both as a right in itself and as a means for the enjoyment of other rights.

Excellencies,
Ladies and Gentlemen,

Almost a decade after these major global commitments, significant progress has been made and results achieved. In his 2010 report on progress towards the MDGs, the Secretary General of the United Nations recognized that enrolment in primary education rose to 89 per cent in the developing world in line with MDG2. But the progress is very uneven and insufficient to ensure that, by 2015, all girls and boys complete a full course of primary schooling. Estimates indicate that at least 69 million children remained out of school in 2008. Almost half of these children (31 million) were in sub-Saharan Africa.

There are advances in sub-Saharan Africa region. Enlarged access to primary schools is evidenced by primary-school enrolment. At the same time, serious problems regarding the quality of education provided and the high rates of drop outs remain. For example, in half the countries in sub-Saharan Africa with available data, more than 30 per cent of primary-school students drop out before reaching the final grade.

When talking about MDG3, we know developing regions as a whole are approaching gender parity in educational enrolment. However, the pace of progress was uneven in Sub-Saharan Africa and poverty continued to appear as a major barrier to the education of girls. Considering this scenario, the outcome document of the MDG review summit last September expressly acknowledges that inequalities between and within countries remain as significant challenge to be tackled with regard to all goals including those related to education.

Excellencies,
Ladies and Gentlemen,

We all know that the reasons for the limited and uneven progress towards the MDGs or the EFA goals are surely complex and multiple. But it is clear that all challenges be exacerbated by weak governance systems, or the persistence of inequality and multiple forms of discrimination. As the focus of our discussion are education and equity I would like to list some of the important contributions that a human rights approach can have in addressing these in the context of the MDG agenda.

In his report 'Keeping the promise' the United Nations Secretary-General has highlighted the weakness of the MDG accountability system as one of the factors explaining slow progress. Human rights also offer a framework for strengthened accountability by clarifying the duties and responsibilities of developing states, donor states and non-state

actors. Human rights treaty bodies, for example, repeatedly recommend States to make the right to free primary education an enforceable right in national Constitution and law. Legal instruments are in fact essential to guarantee that everyone enjoys an equal protection of his or her right to education.

But building national accountability fabric goes beyond establishing adequate legal and regulatory frameworks; it includes ensuring universal access to justice and remedies. It also includes respecting the work of free and independent civil society organizations and supporting the establishment of national human rights institutions that can permanently monitor the work of the State. These mechanisms, for example, can greatly contribute to ensure resources dedicated to education are well spent and ensure that violations to the right to education do not remain unaddressed.

As rising inequalities emerge as a central concern even within countries that experienced economic development and achieved a good expansion of access to schools at primary levels – questions must be raised on the effectiveness of the existing strategies to implement both the MDGs and the EFA.

Failure to fully integrate the human rights principles of non-discrimination and inequality in education laws and policies can affect the effectiveness of all sorts of initiatives. For example, greater funds invested in education may never reach the poorest children if they come from an ethnic group or region that has little influence over the allocation and use of those funds. Even within schools, persistent patterns of discrimination that remain unaddressed may permanently affect the prospects of girls or students with disabilities for example.

Disaggregating global average targets and indicators of MDGs is also critical in capturing discrepancies on the impacts or outcomes of education policies on different population groups, and persistent patterns of discrimination and inequalities. A more fine perception of inequalities in the field of education, for example, requires attention not only to indicators relating to access to schools, but those regarding the quality of the education provided and the educational outcomes.

The African continent certainly has important experiences in the identification of major barriers to education and sources of inequality. In fact, the third Decade of Education for Africa states the commitment to ensure human rights based perspectives become the foundation for all education policy actions. As I mentioned, many children arrived in schools in recent years thanks to the determination of African States to expand their education systems. I was recently in Senegal where I witnessed the increasing rates of enrollment, for example.

However, extreme poverty remains as the most powerful element in the denial of education of millions of Africans. And the quality of the education provided is a very serious concern in too many schools, again having a disproportional impact for those living in poverty and those victims of discrimination. Effective responses to these problems require a good understanding on the numerous financial, physical or linguistic barriers that together may impede that an African child living in poverty enjoys his or her right to education. It also requires understanding how these barriers intersect with

structural discrimination against groups such as women, minorities, persons with disabilities or migrants, for example.

Excellencies,
Ladies and Gentlemen,

Equality of opportunity in education is as a central concern not only for human rights discussions, but for the effective implementation of important commitments such as the MDGs and EFA. In my first report to the Human Rights Council I just tried to develop in more detail how legal and policy instruments, framed by international human rights standards, can better address inequalities in education.

Perhaps one of the key conclusions regarding the contribution of a human rights approach to MDG and EFA processes is that human rights mechanisms do not prescribe specific solutions for all these great challenges faced in Africa and elsewhere regarding these goals, but they certainly give the essential tools to timely identify the most important challenges faced and address them in a comprehensive manner keeping always the focus on the most vulnerable.

Once again thank you for the opportunity. I look forward to the discussions and intend to remain engaged in this dialogue we are having today and during the coming ECOSOC meeting.

Thank you.