DRAFT CONCEPT NOTE
FORUM ON THE PARTICIPATION OF NGOs IN THE 79TH ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
VENUE-TBC
PROPOSED DATES: 20th - 22nd April, 2024.
THEME: *THE YEAR OF EDUCATION: "Educate an African Fit for the 21st Century: Building Resilient Education Systems for Increased Access to Inclusive, Lifelong, Quality, and Relevant Learning in Africa"*

The NGOs Forum, officially known as the Forum on the Participation of NGOs in the Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR), serves as an advocacy platform facilitated by the African Centre for Democracy and Human Rights Studies. Its primary aim is to enhance advocacy, lobbying, and networking among human rights NGOs, as well as between these organizations and other stakeholders, to advance human rights in Africa. Through sharing updates on human rights, democracy, and the rule of law, both domestically and internationally, the Forum enables the African and global NGO community to assess challenges and devise strategies to address them effectively.

OBJECTIVES: The objectives of the Forum are to share updates on the human rights situation in Africa by the African and International NGO community to identify responses as well as adopt strategies for the promotion and protection of human rights in the continent. Additionally, the Forum seeks to strengthen cooperation among NGOs operating within the African Commission and other human rights mechanisms throughout Africa.

Access to quality education is fundamental for human development and societal progress, yet numerous challenges persist within African education systems. Issues such as inadequate access, poor quality, lack of relevance to modern needs, and limited inclusivity hinder individual potential, economic growth, and sustainable development across the continent. Human rights instruments such as the African Charter on Human and People's Rights, African on the Rights and Welfare of the Child, the Maputo Protocol, and the African Youth Charter, give provisions for access to education by children and youths in the continent. However, low proficiency continues to persist in Africa.

The problem of out-of-school children is particularly pressing, with an estimated 98 million children out of school in Sub-Saharan Africa in 2021, representing nearly one-fifth of the global total[1]. Barriers to education include poverty, conflict, discrimination, and gender disparities, with approximately 66% of out-of-school children being girls and 60% of youth between the ages of 15 and 17 are not in school. In the year 2020, about 64 million children were out of primary school, including 34 million girls. Over 195 million children globally were out of secondary school.

Nigeria had about 20 million out of school and Ethiopia as a result of emergencies has spiked from 3.1 million to 3.6 million in 2020, according to UNICEF[2]. According to UNESCO on 12 Oct 2021, there are 16.7 million girls out of schools in sub-Saharan Africa, 9.3 million of which will never set foot in a classroom. According to the UNESCO Institute of Statistics in the year 2020, the number of out-of-school children in various countries was as follows: Niger - 1,647,273; Tanzania - 1,434,649; Mali - 1,343,000; South Africa - 845,478; Burkina Faso - 748,275; Chad - 723,879; Senegal - 681,296; Cameroon - 346,313; Eritrea - 241,988; Cote D'Ivoire- 156, 142.

Rural areas in Africa are often characterized by poor or nonexistent infrastructure and little or no provisions for other critical social services. Students in these regions are further disadvantaged by the fact that their parents are generally uneducated. Again, we see that other socioeconomic conditions and inequalities greatly impact the quality of education in rural areas compared to urban centers.

Equality is a fundamental principle that lies at the heart of human rights and social justice. In the context of Africa, where diverse histories, and socio-economic conditions intersect, achieving equality is not only a moral imperative but also a crucial step towards sustainable development and peace. Human rights education plays a pivotal role in promoting equality by fostering awareness, understanding, and respect for the rights and dignity of all individuals.

Human rights education equips individuals with the knowledge and skills to advocate for their rights and the rights of others. In many parts of Africa, vulnerable groups such as women, children, persons with disabilities, and ethnic minorities face systemic barriers that hinder their access to education, healthcare, employment, and justice. By empowering these groups with an understanding of their rights and the mechanisms

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[1] https://unesdoc.unesco.org/ark:/48223/pf0000261593
[2] https://www.educationcannotwait.org/news-stories/press-releases/increasing-number-children-pushed-out-education-in-ethiopia-due-severe

available for redress, human rights education can help dismantle structural inequalities and promote greater social and economic justice.

One of the concerning trends in Africa is the surge in unconstitutional changes of government, which poses a significant threat to democracy and stability. Countries such as Mali, Guinea, and Sudan have experienced military coups or other forms of unconstitutional power grabs in recent years, undermining democratic institutions and processes. For example, in Mali, a military coup in August 2020 ousted President Ibrahim Boubacar Keïta; in Guinea, a military junta seized power in September 2021, following the overthrow of President Alpha Condé; Burkina Faso experienced two coups in 8 months (January 24th and September 30th, 2022); raising concerns about the country's democratic backsliding and human rights abuses. Similarly, other countries such as Niger, Burkina Faso, Gabon, Sierra Leone, and Chad experienced coups and attempted coups from 2020-2023.

Democracy and the rule of law are essential pillars of governance in Africa, yet they continue to face significant challenges. While many African countries have made progress in holding regular elections and establishing democratic institutions, issues such as electoral fraud, corruption, and violence. Zimbabwe's allegations of electoral fraud and human rights violations; Widespread irregularities, voter suppression, and violence significantly marred elections on December 30, 2018 in the Democratic Republic of Congo undermining public trust in the democratic process and eroding the rule of law. Similarly, in Uganda, President Yoweri Museveni's prolonged rule and crackdown on political opposition have raised questions about the country's commitment to democracy and human rights. The rule of law in nations must be upheld and respected to avoid human rights violations and civic engagement to boost political freedom, peace, and stability in Africa.

Election delays in Africa have become a frequent occurrence, frequently resulting in political turmoil, demonstrations, and apprehensions regarding democratic regression. Nations like Kenya, Nigeria, the Democratic Republic of Congo (DRC), Zimbabwe, and Mali encountered postponements between 2015 and 2019. More recently, Senegalese president Macky Sall's move to delay the election sparked protests and unrest across the country, with opposition groups accusing him of attempting to cling to power. The court's decision to uphold the original election date has further heightened tensions in Senegal, with concerns about potential violence and instability leading up to the election. The outcry from the public tragically led to three deaths, the arrest of members

of the opposition party, journalists, reporters and a shutdown of social media platforms in the country and certain mass media outlets, resulting in a limitation of freedom of expression.

While Africa has made significant strides in expanding access to mobile phones and internet services in recent years, many rural and marginalized communities still lack reliable connectivity and the skills to harness digital technologies for socio-economic development. According to the International Telecommunication Union, only 28% of individuals in Africa used the Internet in 2020, compared to the global average of 53.6%. Moreover, access to digital technology has become increasingly important in shaping political discourse and civic engagement in Africa. With the proliferation of social media and digital platforms, citizens have gained unprecedented opportunities to express their views, mobilize for collective action, and hold governments accountable. However, governments have also sought to control and manipulate online spaces, censoring dissenting voices, and restricting internet access during periods of political unrest.

In many African nations, governments employ various tactics to stifle civic engagement and peaceful assembly. These may include imposing burdensome regulations on civil society organizations, restricting the right to protest, and using excessive force to disperse demonstrations. By restricting avenues for public participation and stifling dissenting voices, authorities undermine the democratic process, diminish trust in institutions, and foster resentment among marginalized communities. From 2022 to 2023, instances of such constraints on civic engagement have been observed in countries like Algeria, Angola, Mozambique, Zimbabwe, Niger, and the Democratic Republic of the Congo, among others. The repercussions of these limitations on civic engagement and freedom of assembly can be severe, potentially leading to the escalation of violent conflict and instability. In Sudan, security forces have resorted to violence and sexual assault to suppress women protesters. In the wake of a military coup on October 25, 2021, over 40 individuals lost their lives as demonstrators protested against the coup and advocated for a peaceful transition to civilian governance. In Eswatini, authorities have employed various violent and restrictive measures to quash pro-democracy and anti-government protests that commenced in May 2021. Similarly, in Chad, during the events of "Black Thursday" on October 20, 2022, more than 50 individuals were killed, 300 sustained injuries, and over 1,100 others were arrested as protesters voiced their

opposition against a decision by transitional authorities to extend the military-led transition period by two years[3].

Addressing the root causes of conflict and political instabilities is crucial for promoting peace, stability, and sustainable development in Africa. Upholding the rule of law entails creating an enabling environment where laws are applied impartially, institutions are independent and effective, and human rights are protected. The lack of access to social services further perpetuates cycles of poverty and inequality which leads to issues such as child labor, human trafficking, sex trafficking, increase in crime rates, and overall underdevelopment of countries.

Child labor remains a significant concern in many African countries, despite efforts to combat it. According to the International Labor Organization (ILO), Sub-Saharan Africa has the highest incidence of child labor globally, with approximately 72.1 million children engaged in child labor in 2020. This represents about one-fifth of all children in the region. Poverty, lack of educational opportunities, breakdown of social structures, and ongoing conflicts created environments where children were susceptible to manipulation and coercion by armed groups.

According to UNESCO, Africa faces significant challenges in education due to conflict, with an estimated 27 million primary school-aged children out of school in conflict-affected areas across the continent. Countries like South Sudan, the Democratic Republic of Congo, Somalia, and Nigeria are particularly affected, with severe consequences for children's access to education. The Central Sahel region, including Burkina Faso, Mali, and Niger, is experiencing a crisis, with 3 million people forcibly displaced and a dramatic increase in school closures, reaching almost 9,000 by 2023. Burkina Faso alone accounts for half of the school closures in Central and West Africa, with over 6,100 schools shut down and more than 8,000 reported deaths. In the Democratic Republic of Congo (DRC), decades of conflict have severely affected education, with around 3.4 million children out of school, with conflict being a significant contributing factor, as reported by UNICEF.

Persons living with disabilities in Africa encounter enduring obstacles despite existing laws aimed at safeguarding their rights. Challenges such as restricted access to buildings, social stigma, severe poverty resulting in begging, elevated unemployment rates, and insufficient education and healthcare services persist. Efforts to address these issues through implementation mechanisms have been lacking. With approximately

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[3] https://www.civicus.org/index.php/media-resources/op-eds/6475-the-civic-space-crisis-in-africa-and-how-civil-society-responds

80% of persons with disabilities globally residing in developing nations, Africa alone harbors estimates ranging from 60-80 million individuals.

Despite progress in expanding access to education in Africa, there are substantial challenges that require collaborative efforts from governments, civil society, and the international community. Ensuring inclusive and quality education for every child is crucial for preparing the continent's youthful population, estimated at 364 million individuals aged 15 to 35, for the demands of the 21st century. With Africa having the world's youngest population, there is a significant opportunity to invest in the next generation of leaders and entrepreneurs.

To capitalize on this opportunity, African countries must focus on building and upgrading education facilities and providing safe and inclusive learning environments. However, informal employment remains prevalent, especially in sub-Saharan Africa, necessitating innovative approaches to extend social protection. Demographic transitions vary across continents and countries, requiring tailored strategies for education, training, and job creation, particularly for the youth. Technical and Vocational Education and Training (TVET) emerges as a critical tool in promoting inclusive socio-economic development and reducing unemployment, catering to displaced people and migrants as well.

Closing the gender gap requires targeted interventions to promote girls' education, improve maternal and reproductive healthcare, address gender-based violence, and enhance women's economic empowerment through access to finance, land rights, and entrepreneurship opportunities. Empowering women not only benefits them individually but also contributes to overall economic growth and social development.

Addressing the broader socio-economic and political factors that contribute to instability and conflict is crucial for creating an enabling environment for education and human development. Upholding democratic principles, respecting the rule of law, and promoting civic engagement are essential for fostering peace, stability, and social cohesion in Africa. By addressing these interconnected challenges and advancing a rights-based approach to education and development, African countries can realize the full potential of their populations and build a prosperous and inclusive future for all.

THEMATIC FOCUSES

1. **Equal Access to Education for Sustainable Development**

Access to quality education is fundamental for fostering sustainable development in Africa. However, numerous challenges hinder equal access to education across the

continent. These challenges include poverty, gender disparities, lack of infrastructure, and conflict. To address these barriers, governments, civil society organizations, and international partners must work together to implement policies and programs that prioritize education for all. This includes investing in rural schools, providing scholarships for marginalized groups, and promoting girls' education. By ensuring equal access to education, Africa can unlock the full potential of its youth population and drive economic growth and social progress.

2. Unconstitutional Changes of Government:

The surge in unconstitutional changes of government poses a significant threat to democracy and stability in Africa. Military coups, political unrest, and power grabs undermine democratic institutions and processes, leading to political instability and insecurity. To address this challenge, African countries must uphold the rule of law, respect democratic principles, and strengthen governance systems. International partners can support these efforts by providing technical assistance, promoting dialogue, and imposing sanctions on perpetrators of unconstitutional actions. By promoting democratic governance, Africa can safeguard peace and stability across the continent.

3. Human Rights Education in Africa:

Human rights education plays a crucial role in promoting equality, justice, and dignity for all individuals in Africa. By raising awareness of human rights principles and values, education can empower individuals to advocate for their rights and hold governments accountable. This includes educating children, youth, and communities about their rights and responsibilities, as well as providing training for human rights defenders and civil society organizations. Human rights education can help address systemic inequalities, discrimination, and violence, fostering a culture of respect for human rights and social justice in Africa.

4. Access to Digital Technology in Africa

Digital technology is essential for driving socio-economic development and promoting inclusive growth in Africa. However, many communities, especially in rural and marginalized areas, lack reliable connectivity and access to digital resources. To bridge this digital divide, governments and stakeholders must invest in infrastructure, expand internet access, and provide digital literacy training for all citizens. This includes promoting mobile technology, e-learning platforms, and digital entrepreneurship to empower communities and enhance economic opportunities. By harnessing the power

of digital technology, Africa can accelerate progress towards achieving the Sustainable Development Goals and building a more inclusive and connected society.

5. Democracy and Rule of Law

Democracy and the rule of law are essential pillars of governance in Africa, yet they face significant challenges. Issues such as electoral fraud, corruption, and political repression undermine democratic processes and erode public trust in institutions. To strengthen democracy, African countries must uphold the rule of law, protect human rights, and promote transparency and accountability in governance. This includes ensuring free and fair elections, respecting the rights of political opposition, and fostering an independent judiciary. International partners can support these efforts by providing technical assistance, monitoring elections, and advocating for democratic reforms. By promoting democracy and the rule of law, Africa can build more resilient and inclusive societies that respect the rights and dignity of all citizens.

6. Civic Engagement and Freedom of Assembly:

Civic engagement is a fundamental right that enables citizens to participate in democratic processes and hold governments accountable. However, many African countries face constraints on civic space, including restrictions on civil society organizations, limitations on peaceful protests, and crackdowns on dissenting voices. To promote civic engagement, governments must respect and protect the rights of citizens to peacefully assemble, express their opinions, and participate in public affairs. This includes repealing repressive laws, addressing impunity for human rights violations, and creating an enabling environment for civil society to operate. International partners can support these efforts by advocating for the protection of civic space, providing legal assistance to human rights defenders, and documenting violations of freedom of assembly. By promoting civic engagement and freedom of assembly, Africa can strengthen democracy and promote social justice and human rights for all.

7. Protection of Human Rights Defenders:

Human rights defenders play a critical role in promoting and protecting human rights in Africa. However, they often face harassment, intimidation, and violence for their work. To ensure the safety and security of human rights defenders, governments must respect their rights to freedom of expression, association, and assembly. This includes adopting legal frameworks that protect human rights defenders, investigating and prosecuting attacks against them, and providing them with access to justice and support. International partners can support these efforts by monitoring and

documenting human rights violations, advocating for the protection of human rights defenders, and providing emergency assistance to those at risk. By protecting human rights defenders, Africa can create an enabling environment for civil society to thrive and promote human rights and social justice.

8. **Conflict and Political Instability in Africa:**

Conflict and political instability continue to pose significant challenges to peace and development in Africa. Factors such as ethnic tensions, competition for resources, and weak governance contribute to the outbreak and escalation of conflicts across the continent. To address these challenges, African countries must invest in conflict prevention, peacebuilding, and reconciliation efforts. This includes promoting dialogue, mediation, and inclusive political processes to address the root causes of conflict and build sustainable peace. International partners can support these efforts by providing diplomatic support, peacekeeping operations, and humanitarian assistance to conflict-affected communities. By addressing conflict and political instability, Africa can create a more peaceful and prosperous future for its citizens.

PROPOSED TOPICS AND PANEL DISCUSSIONS

1. **Panel 1: Overcoming Barriers to Education Access in Rural Africa**
   This panel will explore the challenges faced by rural communities in accessing quality education, including inadequate infrastructure, limited resources, and socio-economic disparities. Panelists will discuss innovative strategies and best practices for improving educational access and outcomes in rural areas, such as leveraging technology, community partnerships, and targeted investment in education infrastructure.

2. **Panel 2: Unconstitutional Changes of Government: Threats to Democracy and Stability in Africa**
   This panel will examine the surge in unconstitutional changes of government in Africa and its implications for democracy and stability. Experts will discuss recent examples of military coups and power grabs, as well as strategies to promote democratic governance and uphold the rule of law.

3. **Panel 3: Human Rights Education and Equality in African Education Systems**
   This panel will explore the role of human rights education in promoting equality within African education systems. Panelists will discuss how human rights education can empower vulnerable groups such as women, children, persons with disabilities, and ethnic minorities to advocate for their rights and dismantle structural inequalities.

4. **Panel 4: Digital Divide in Africa: Challenges and Opportunities for Socio-Economic Development**
   This panel will examine the digital divide in Africa, including disparities in internet access and digital skills between urban and rural areas. Experts will discuss the potential of digital technologies to drive socio-economic development, as well as strategies to bridge the digital divide and promote inclusive growth.

5. **Panel 5: Building Inclusive Education Systems for Children with Disabilities**
   This panel will examine the challenges faced by children with disabilities in accessing quality education and the importance of building inclusive education systems that cater to their diverse needs. Panelists will discuss policy frameworks, inclusive teaching practices, and community engagement strategies to ensure that children with disabilities receive equitable access to education and support for their learning journey.

6. **Panel 6: Election Delays and Democratic Regression in Africa**
   This panel will explore the frequent occurrence of election delays in Africa and their impact on democratic processes and political stability. Panelists will discuss the underlying factors contributing to election delays, as well as measures to promote electoral integrity and prevent democratic regression.

7. **Panel 7: Investing in Education for Sustainable Development**
   This panel will discuss the importance of investing in education as a means of promoting sustainable development in Africa. Panelists will explore the social, economic, and environmental benefits of education and discuss strategies for mobilizing resources and political will to prioritize education funding.

8. **Panel 8: Civic Engagement and Freedom of Assembly: Promoting Democratic Participation in Africa and Protection of Human Rights Defenders**
   This panel will discuss the importance of civic engagement and freedom of assembly in promoting democracy and accountability in Africa. Panelists will explore the challenges facing civic activists and peaceful protesters, as well as strategies to protect and promote civic space and democratic participation.

9. **Panel 9: Addressing Root Causes of Conflict and Instability in Africa**
   This panel will focus on the root causes of conflict and instability in Africa, including poverty, inequality, and governance challenges. Experts will discuss holistic approaches to conflict prevention and peacebuilding, including efforts to promote social justice, human rights, and inclusive development

Language: the deliberations of the forum will be in English and French with simultaneous interpretation facilities.

Participants: Representatives from African Civil Society Organizations, and International NGOs from Africa and beyond working on democracy, rule of law, governance, human rights, peace and security, and the pool of resource persons will also provide much-needed expertise in the panels.

Expected Outcomes:

- Document general trends and Situation of education, human rights, democracy, and the rule of law in Africa.

-Networking and partnership building with and amongst participants/stakeholders

- Report on the special interest groups.

 - Adopting Recommendations and resolutions where necessary to highlight them at the opening of the 79th Ordinary Session.

-Report of the NGOs Forum