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Barriers to education in Africa: What should the African Union focus on in 2024?

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Introduction

Several African governments have taken some important steps towards achieving universal education. According to Afrobarometer, out of the 34 countries surveyed between 2016 and 2018, 33 Member States have made primary school attendance compulsory and they provide free primary education.[1] Some have committed substantial portions of their annual budgets towards promoting access to quality education.[2] However, the levels of access to quality education in Africa remain very low, with over 50% of Africans saying they are not satisfied with the performance of their governments on education.[3] Sub-Saharan Africa is reported to have the highest rate of education exclusion globally, with 60% of the youth (aged between 15 and 17) being out of school.[4] Yet the right to education is one of the human rights guaranteed for all, under the African Charter on Human and Peoples' Rights (the African Charter). Article 17 of the African Charter states that "Every individual shall have the right to education". In as much as education is a human right on its own, it is also indispensable for the realisation of several other human rights.[5] Put differently, the right to education is a leverage for the realisation of several other human rights. For example, it is through the right to education that human beings are empowered to obtain the information they need to participate meaningfully in public life. Through the right to education, individuals obtain knowledge and skills needed for them to interpret information and express their views,[6] and to engage in meaningful work.[7] Commenting on the significance of the right to education, the United Nations Human Rights Council has noted that:

> *"Education is both a human right and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. Increasingly, education is recognized 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,*

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[1] Matthias Krönke and Lulu Olan'g 'PP63: Democratic dividend: The road to quality education in Africa Transparency, accountability, and democracy matter in Africans' assessments of education quality' (2020), available at https://www.afrobarometer.org/publication/pp63-democratic-dividend-road-quality-education-africa/#:~:text=Afrobarometer%20surveys%20point%20to%20slow,to%20disadvantage%20girls%20and%20women.

[2] For example, in Côte d'Ivoire, eSwatini, Ghana, Malawi, Senegal, Tunisia, and Zimbabwe, more than 25% of total government expenditures go to education. See *Ibid*.

[3] Kelechi Amakoh 'Declining performance: Africans demand more government attention to educational needs Afrobarometer Dispatch No. 511, at p 11. Available at https://www.afrobarometer.org/wp-content/uploads/2022/04/ad511-pap8-declining_performance-africans_demand_greater_attention_to_education-afrobarometer-15march22-2.pdf.

[4] See https://www.dw.com/en/africa-right-to-education-remains-a-challenge/a-60518000

[5] See paragraph 1 of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

[6] Freedom of expression, guaranteed under Article 9 of the African Charter on Human and Peoples' Rights.

[7] Right to work, Article 15.

able to wander freely and widely, is one of the joys and rewards of human existence."[8]

Thus, the right to education can be perceived as a bedrock human right in the sense that it is a human right upon which the realisation of several other rights depends. For 2024, the theme for the African Union (AU) is "Educate an African fit for the 21st Century: Building resilient education systems for increased access to inclusive, lifelong, quality, and relevant learning in Africa".[9] In pursuit of this theme, the AU seeks to galvanize member states towards fulfilling the Continental Education Strategy for Africa 2016-2025 (CESA),[10] Agenda 2030[11] and SDG4, and Agenda 2063 objectives.[12] Thus, the African Union has put at the front center of its work in 2024, the realisation of the right to education. What does the realisation of the right to educations entail?

Normative standards on the right to education

Obligation of States in respect of the right to education include the duties to ensure that quality education is available and accessible to all.[13] Quality education has been defined as education "that helps [leaners to] acquire basic literacy and numeracy, enjoy learning without fear, and feel valued and included, irrespective of where they come from".[14] In order for quality education to be considered to be available:

> *"Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology."[15]*

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[8] See paragraph 1 of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

[9] See AU Concept note on the 2024 theme of Education, available at https://africanlii.org/akn/aa-au/doc/concept-note/2024-01-15/concept-note-on-education-as-the-au-theme-of-the-year-for-2024-excl1476xlivrev1/eng@2024-01-15.

[10] See https://africanlii.org/akn/aa-au/doc/strategy/2016-01-01/continental-education-strategy-for-africa-2016-2025/eng@2016-01-01.

[11] See https://africanlii.org/akn/aa-au/statement/decision/au-assembly/2016/600/eng@2016-01-31 and https://africanlii.org/akn/aa-au/doc/2015-08-01/transforming-our-world-2030-agenda-for-sustainable-development/eng@2015-08-01.

[12] See https://africanlii.org/akn/aa/doc/statement/2015-09-01/agenda-2063-the-africa-we-want/eng@2015-09-01.

[13] CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

[14] See https://www.unicef.org/rosa/what-we-do/quality-education.

[15] See paragraph 6(a) of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

Thus, in the first place, States have an obligation to ensure that infrastructure, programs, resources and services necessary for the realisation of the right to quality education are available. In addition, these must be accessible. In order to be considered accessible "educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party".[16] In the context of the right to education, accessibility has three overlapping dimensions. First is the non-discrimination dimension,[17] which entails that educational infrastructure, programs and services must be accessible to everyone, without discrimination on any of the grounds prohibited under international human rights law.[18] Education must be accessible especially to the most vulnerable groups who, in the context of Africa, include women, those who live in the rural communities, orphans, children of indigent parents and girls. The second dimension of accessibility is physical accessibility, which encapsulates the principle that educational infrastructure, programs and services must be accessible to all within safe physical reach.[19] The third dimension is economic accessibility which entails that educational facilities, programs and services must be affordable to all.[20] This dimension of accessibility is interlinked to the non-discrimination dimension in the sense that, access to education is considered discriminatory if certain categories of persons are excluded from accessing educational facilities and programs on the basis of affordability. As part of its theme for 2024, the African Union has called for, amongst other initiatives, "in-depth discussions focusing on enhancing availability and access to quality education across Africa."[21] This research brief seeks to contribute to these discussions by way of flagging and discussing some of the key challenges which undermine access to quality education in Africa.

Key challenges undermining access to quality education

Unaffordability of quality education

Globally, there are about 64 million children who are out of primary school (including 34 million girls) and over 195

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[16] See paragraph 6(b) of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

[17] Ibid.

[18] Which include gender, race, nationality, religion, social or any other status. See Article 2 of the African Charter on Human and Peoples' Rights which states that "Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status." Also see, Article 3 which states that "(1) Every individual shall be equal before the law, and (2) Every individual shall be entitled to equal protection of the law [which includes protection of their rights guaranteed under the African Charter]."

[19] See paragraph 6(b) of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.
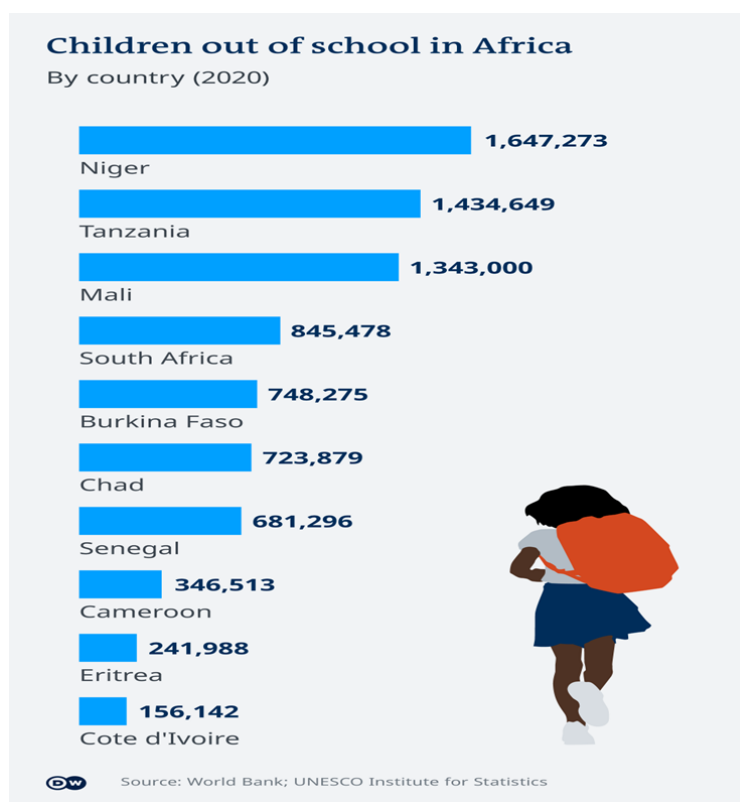
[20] Whereas primary education shall be available "free to all", States parties are required to progressively introduce free secondary and higher education. See paragraph 6(b) of CESCR General Comment No. 13: The Right to Education (Art 13 of ICESCR), 8 December 1999, available at https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999.

[21] See AU Concept note on the 2024 theme of Education, available at https://africanlii.org/akn/aa-au/doc/concept-note/2024-01-15/concept-note-on-education-as-the-au-theme-of-the-year-for-2024-excl1476xlivrev1/eng@2024-01-15.

million children are out of secondary school.[22] High tuition fees that are beyond the affordability of many parents and guardians has been identified as one of the key challenges affecting access to education in Africa, resulting in high numbers of children that are out of school. A recent study[23] has revealed that more than half of the world's children (between 6 and 11 years of age) who are out of school are in Africa, while one-third of adolescents of lower secondary age (12-14 years) and more than half of youth of upper secondary age (15-17 years) in Africa are not in school.[24] It is estimated that 9 million girls on the continent and 6 million boys (between the ages of 6 and 11) are unlikely to ever attend school.[25] Niger (1,647,273), Tanzania (1,434,649), Mali (1,343,000) and South Africa (845,478) are reported to be amongst the States with the highest number of children out of school, according to a recent World Bank report.[26]

Figure 1: Children out of school in Africa, by country[27]

Children out of school in Africa
By country (2020)

Country	Value
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	346,513
Eritrea	241,988
Cote d'Ivoire	156,142

Source: World Bank; UNESCO Institute for Statistics

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22 See https://blogs.worldbank.org/developmenttalk/high-price-education-sub-saharan-africa.
23 See UNESCO 'School resources and learning environment in Africa', at page 3, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.
24 See UNESCO 'School resources and learning environment in Africa', at page 3, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.
25 See https://www.dw.com/en/africa-right-to-education-remains-a-challenge/a-60518000.
26 *Ibid*.
27 Source: World Bank, https://www.dw.com/en/africa-right-to-education-remains-a-challenge/a-60518000.

Lack of access to education, due to high (unaffordable) tuition and other fees comes on the backdrop of high levels of poverty in Africa. Multiple reports[28] demonstrate that in the period 2022-2023, an estimate of 460 million people were living in extreme poverty, while currently, more than 48% of those living in sub-Saharan Africa are estimated to live in poverty.[29] As a result of poverty, these people cannot afford basic services, including education. It is estimated that there are 50 million orphans on the continent of Africa, most of whom have no one to support them financially to access quality education, and they account for the majority of children who are out of school.[30] It is estimated that by 2030, about 479 million people in Africa (constituting 28.1% of the population) will be living in extreme poverty,[31] and therefore, the number of children out of school is likely to rise sharply in the absence of robust interventions to promote access to education. According to Global Findex data,[32] 54% of adults in Sub-Saharan Africa are very worried about paying school fees because they cannot afford it.

Figure 2: Share of adults most financially worried about school fees, per country[33]
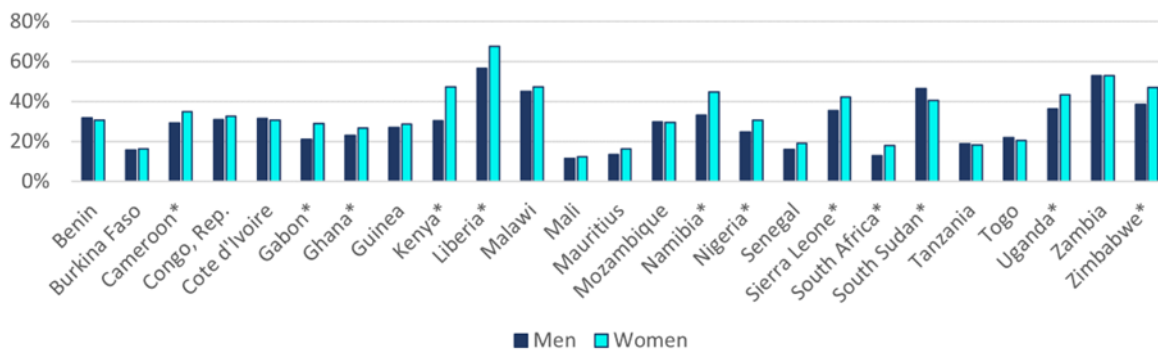
High student-teacher ratio

The United Nations Children's Fund (UNICEF) recommends a learner-teacher ratio of no more than 20 children per teacher.[34] Other education experts recommend a leaner-teacher ratio of 18:1,[35] to allow teachers to facilitate a healthy learning environment that provides individualized assistance to the learners. A recent UNESCO report has

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[28] See 'Africa might have dodged a bullet, but systemic warnings abound for poverty reduction efforts on the continent' available at https://blogs.worldbank.org/developmenttalk/high-price-education-sub-saharan-africa. Also see, https://www.statista.com/statistics/1228533/number-of-people-living-below-the-extreme-poverty-line-in-africa/.

[29] See https://www.children.org/global-poverty/global-poverty-facts/africa.

[30] *Ibid*.

[31] See https://issafrica.org/iss-today/africa-is-losing-the-battle-against-extreme-poverty.

[32] Cited in https://blogs.worldbank.org/developmenttalk/high-price-education-sub-saharan-africa.

[33] Source: Global Findex database (2021), available at https://blogs.worldbank.org/developmenttalk/high-price-education-sub-saharan-africa.

[34] See https://www.unicef.org/media/57931/file/A-world-ready-to-learn-advocacy-brief-2019.pdf.

[35] See Kate Barrington 'How Important is the Student-Teacher Ratio for Students?' (2023), available at https://www.publicschoolreview.com/blog/how-important-is-the-student-teacher-ratio-for-students.

revealed that there are more than 50 students per class (manned by one teacher) in primary schools in a third of the surveyed countries in Africa, and 40 pupils or more per class in the vast majority of single grade classes.[36] In countries which include Malawi, Togo, Guinea, Uganda, the Central African Republic and in Tanzania, the average class size exceeds 70 pupils per teacher, implying a leaner-teacher ratio as high as 70:1.[37] Therefore, in most of the AU Member States, the student-teacher ratio far exceeds the recommended 20:1. High student-teacher ratios are a result of the limited number of teachers.[38] Recent research studies have found that the demand for teachers is rising rapidly as the school age population in Africa continues to grow rapidly, while governments are failing to replace teachers who are retiring and resigning in huge numbers (attrition of teachers) annually as a result of poor working conditions.[39] Countries which include Benin, Congo and Ghana have a high level of attrition of teachers ranging between 8% and 15% per year.[40] This means that, between 8% and 15% of the teachers are being lost every year in these countries and they need to be replaced every year. Failure to replace these teachers contribute towards the high student-teacher ratio which undermines access to quality education as the leaners are unable to obtain adequate individualized support from the teachers. It also creates conditions of over crowdedness in classrooms.

Lack of basic sanitation and related services

Quality education implies that the learners must be able to access and utilise basic sanitation services while they are in educational facilities. For example, sanitation services such as adequate and clean toilets must be available and accessible within the school premises. Recent research studies have found that 1 in every 3 primary schools in Africa do not have toilets. In countries which include Mauritania, Comoros and Chad, 70% of the schools do not have toilets, while in countries which include Mali, Madagascar and Burundi, in 50% of the schools male and female leaners share the toilets.[41] Recent studies[42] suggest that more than 200 million people in Africa are forced to practice open defecation because they are without basic sanitation services, and amongst these are children in public schools. More than 50% of primary schools in Africa do not have safe drinking water.[43] This comes against the background of recent studies which suggest that 420 million people lack access to clean drinking water in Africa, and amongst these

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[36] See UNESCO 'School resources and learning environment in Africa', at page 6, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.

[37] *Ibid*.

[38] See UNESCO 'School resources and learning environment in Africa', at page 10, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.
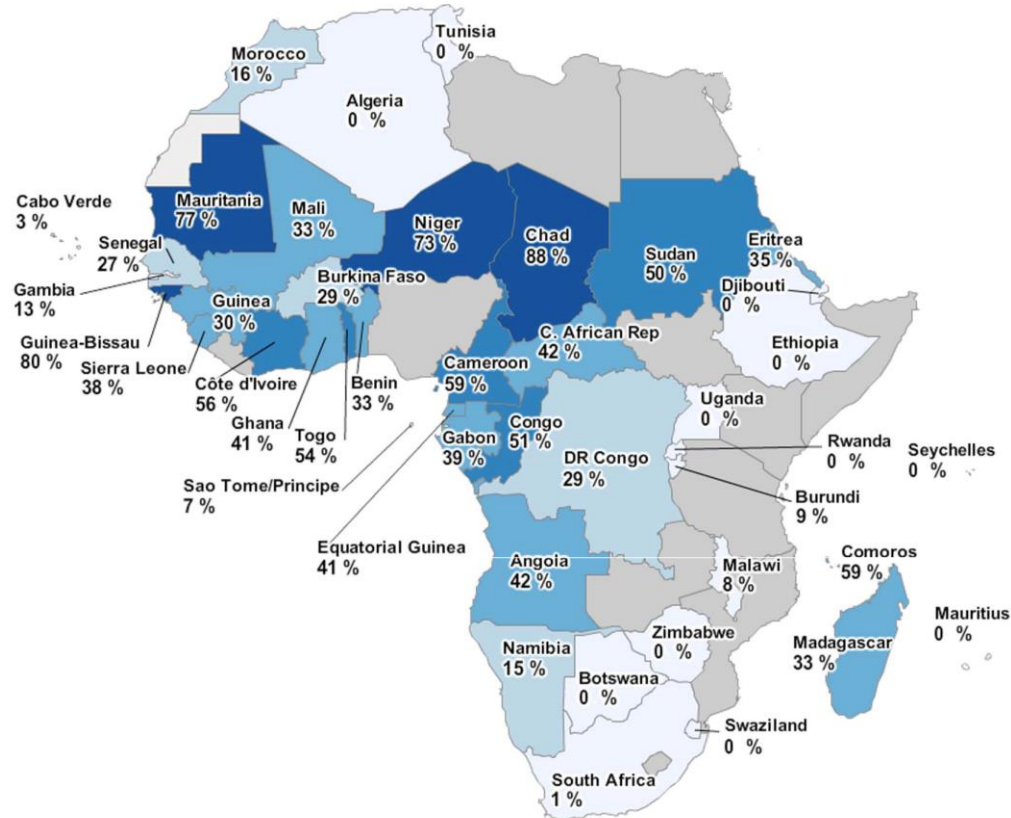
[39] *Ibid*.

[40] *Ibid*.

[41] See UNESCO 'School resources and learning environment in Africa', at page 12, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.

[42] See https://www.children.org/global-poverty/global-poverty-facts/africa.

[43] *Ibid*.
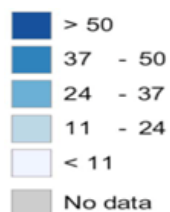
are children in schools.[44]

Figure 3: Percentage of primary schools without toilets, by country[45]

Percentage of schools without toilets

|	
■	> 50
■	37 - 50
■	24 - 37
■	11 - 24
□	< 11
■	No data

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[44] *Ibid.*
[45] See UNESCO 'School resources and learning environment in Africa', at page 12, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.

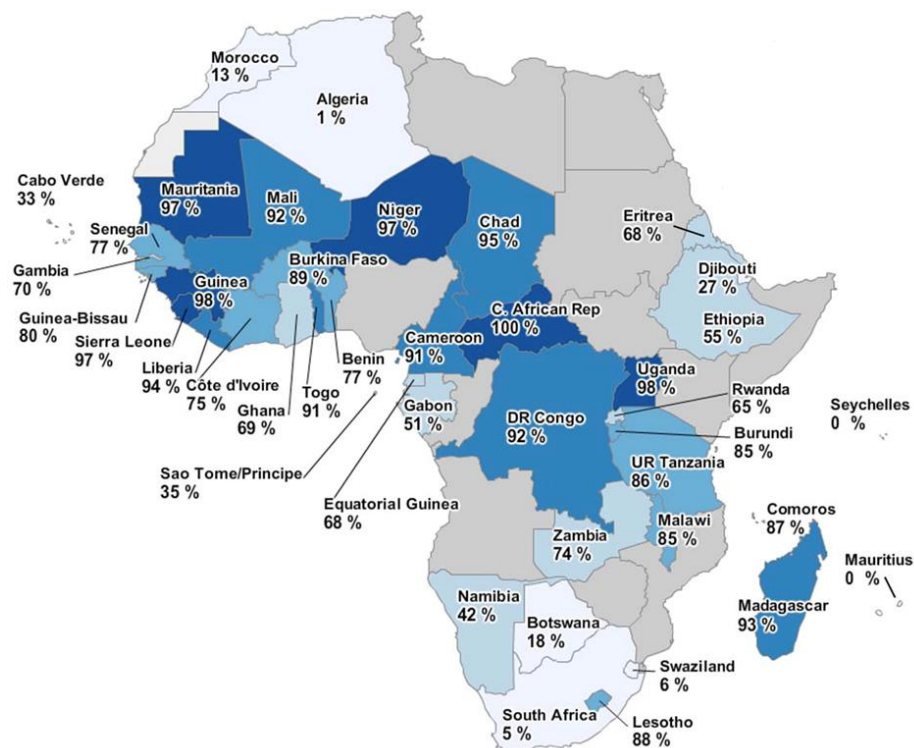**Figure 4: Percentage of primary schools which do not have safe drinking water in Africa, by country** [46]
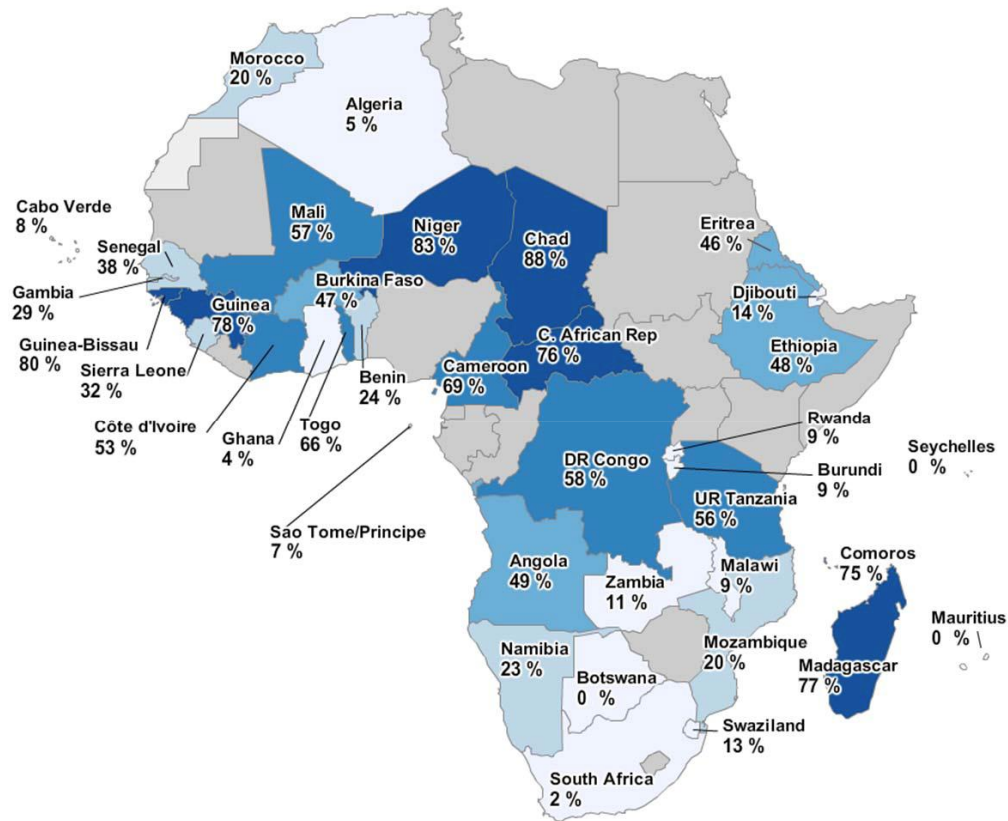
Percentage of schools without potable water

Legend:
- > 50
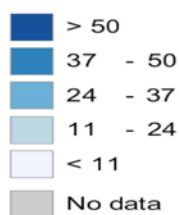- 37 - 50
- 24 - 37
- 11 - 24
- < 11
- No data

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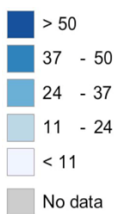
[46] See UNESCO 'School resources and learning environment in Africa', at page 15, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.

Figure 5: Percentage of primary schools in Africa with no access to electricity, by country[47]

Percentage of schools without electricity

■ (dark blue)	> 50
■ (blue)	37 - 50
■ (medium blue)	24 - 37
■ (light blue)	11 - 24
□ (very light)	< 11
■ (grey)	No data

Insufficient resources

Access to quality education entails that learners and students must enjoy access to adequate resources which include textbooks. According to a recent study[48] conducted by UNESCO, there are insufficient textbooks in several of the schools in Africa. On average there is one reading textbook for 2 students or more and one mathematics

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[47] *Ibid*, at page 19.
[48] See UNESCO 'School resources and learning environment in Africa', at page 8, available at https://uis.unesco.org/sites/default/files/school-resources-and-learning-environment-in-africa-2016-en/school-resources-and-learning-environment-in-africa-2016-en.pdf.

textbook for about 3 students in sub-Saharan Africa.[49] The student-textbook ratio is higher in some countries. For example, 14 students share one mathematics textbook in Cameroon; five students share one mathematics textbook in Chad and South Sudan, while in Equatorial Guinea four students share one mathematics textbook.[50] Such high levels of student-textbooks, in a context of high student-teacher ratios, undermine the ability of the students to study and acquire knowledge, as they lack access to the sources of educational information.

Safety and security challenges

To access quality education, students must be guaranteed and provided with a safe learning environment. The environment within the educational facilities must be conducive for students to feel free, valued and safe to engage in their learning activities. Research studies[51] show prevalence of different types of violence in schools in multiple countries from across the continent of Africa, thereby undermining access to education. This includes the prevalence of sexual violence, political violence and bullying amongst others.

UNESCO has noted, in its 2023 report,[52] that:

> *"over the last year, more than a third of students were attacked in school at least once (37.8 percent) or got into fights at least once (27.6 percent). In addition, just under a third were bullied at least once over the last 30 days (29.5 percent). Many students have also been injured over the last year (31.3 percent)."*

A recent report by the United Nations suggests that incidents of political violence affecting educational facilities increased by 20% between 2022 and 2023 in Africa.[53] A total of 411 reports of violent incidents affecting schools were recorded in 2023, compared to 341 incidents recorded in 2022.[54] Nigeria accounts for the majority of those incidents (89 cases), followed by Sudan (55).[55] Another recent report published by UNESCO,[56] suggests that sub-Saharan Africa has the highest prevalence for several types of violence, including sexual violence, political violence and bullying. For instance, a quantitative survey conducted in 2023 in Uganda showed that one in twenty-five girls in school had experienced sexual violence perpetrated by a teacher in 2023 alone.[57] The same survey revealed that sexual

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[49] *Ibid.*
[50] *Ibid.*
[51] Jenny Parkes *et al* 'Addressing silences in research on girls' experiences of teacher sexual violence: insights from Uganda' *Comparative Education* (2023) 59:2. Also see http://www.scholink.org/ojs/index.php/wjer/article/view/5527.
[52] See https://unesdoc.unesco.org/ark:/48223/pf0000387350.
[53] See https://reliefweb.int/report/world/education-africa-violent-attacks-against-schools-rose-20-2023#:~:text=There%20were%20411%20reports%20of,latest%20report%20covers%202021%2D2022.
[54] *Ibid.*
[55] *Ibid.*
[56] See https://unesdoc.unesco.org/ark:/48223/pf0000387350.
[57] Jenny Parkes *et al* 'Addressing silences in research on girls' experiences of teacher sexual violence: insights from Uganda' *Comparative Education* (2023) 59:2.

violence against boys was prevalent, although it seems lower than violence against girls.[58] A similar survey of 924 students from eight secondary schools in Cameroon revealed that one in four participants had experienced sexual violence at some point in life, with boys and girls equally affected.[59] Such high levels of violence contribute towards pushing students to drop out of school while some remain in school but they underperform. Sexual abuse accounts for the majority of students who end up dropping out from school in some countries. For example, in South Africa, it is reported that at least 40% of all students drop out of school before completing grade 12, and girls make up most of this group as a result of sexual abuse in school or on their way to school.[60]

Conclusion

Across 34 African States surveyed by Afrobarometer between 2016 and 2018, one in five respondents (21%) cited access to quality education as one of the priorities which their governments should address.[61] Afrobarometer also reports that on average across 34 countries, 53% of Africans are of the view that their governments are performing "fairly badly" or "very badly" on education.[62]

The adoption of education as a theme for 2024 by the African Union is therefore a positive step (in sync with the public aspirations), towards promoting the realisation of Africa's developmental goals under Agenda 2063. The central and most urgent question on the mind of many is, what should AU and its organs and development partners focus on as part of their efforts to address challenges affecting education in Africa? In light of the foregoing discussion in this paper, the AU should prioritise the following in implementing its theme on education in 2024:

- Addressing the problem of violence, including sexual abuse of students in schools.
- Providing emergency relief support to parents and guardians who cannot afford to send their children to school.
- Investing in the procurement and provision of textbooks including by establishing digital libraries.

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[58] *Ibid*.
[59] See http://www.scholink.org/ojs/index.php/wjer/article/view/5527.
[60] See https://www.dw.com/en/africa-right-to-education-remains-a-challenge/a-60518000.
[61] Matthias Krönke and Lulu Olan'g 'PP63: Democratic dividend: The road to quality education in Africa Transparency, accountability, and democracy matter in Africans' assessments of education quality' (2020), available at https://www.afrobarometer.org/publication/pp63-democratic-dividend-road-quality-education-africa/#:~:text=Afrobarometer%20surveys%20point%20to%20slow,to%20disadvantage%20girls%20and%20women.
[62] Kelechi Amakoh 'Declining performance: Africans demand more government attention to educational needs Afrobarometer Dispatch No. 511, at p 11. Available at https://www.afrobarometer.org/wp-content/uploads/2022/04/ad511-pap8-declining_performance-africans_demand_greater_attention_to_education-afrobarometer-15march22-2.pdf.

- Recruiting quality teachers and ensuring that they are rewarded with decent remuneration and other conditions of service.
- Prioritizing the provision of sanitation, water and electricity in schools.

END

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