

# The Abidjan Principles: Implementation Avenues



# The Abidjan Principles: Implementation Avenues

The [Abidjan Principles on the human rights obligations of States to provide public education and to regulate private involvement in education](#) (Abidjan Principles) were adopted on 12-13th February 2019 in Ivory Coast and were developed by a group of global education and human rights [experts](#), following a three-year [consultative process](#) with decision-makers, communities and practitioners. This landmark text unpacks existing human rights law in the context of the growth of private involvement in education.

The Abidjan Principles have quickly gained [recognition](#) and [momentum](#), swiftly becoming a reference instrument on the right to education. It has emerged as an essential tool for States striving to comply with their human rights obligations, and for stakeholders who wish to hold States accountable.

To ensure the Abidjan Principles go beyond theory and are implemented in practice to bring about real progress for the right to education worldwide, experts identified six implementation avenues:

1. Community-level awareness raising and mobilisation
2. Political mobilisation through discussion and adoption at global and regional level
3. Capacity building and technical support to States
4. Research and academic dissemination
5. Leveraging accountability mechanisms and development of authoritative standards
6. Building collaboration with other actors and movements



## 1. Community-level awareness raising and mobilisation

The Abidjan Principles can be a powerful tool in the hands of communities. The Principles can strengthen communities' understanding of their rights and entitlements under the right to education, and the corresponding duties of the State to ensure that every person is able to fully enjoy their right to education. With this knowledge, communities are in a better position to mobilise to demand their right to education.

### Example

**Nepal:** The National Campaign for Education (NCE) Nepal, contributed to the drafting of the Abidjan Principles, participating in the Asia-Pacific Regional



Consultation and then hosting community level consultations on drafts of the Abidjan Principles. Since their adoption, NCE Nepal has continued to disseminate the Abidjan Principles to communities, journalists and other grassroots education activist groups. This is particularly timely as Nepal implements a new constitution which delegates responsibility for providing basic education to local governments. As the local governments develop their education policies, the people can draw from the Abidjan Principles to ensure the plans and structures are designed to ensure all learners will access free, quality education.



## 2. Political mobilisation through discussion and adoption at global and regional level

Attaining political support for the Abidjan Principles is important for their implementation. It is crucial to disseminate the Abidjan Principles to various international and regional bodies that are fundamental for the discussion on the right to education. Ensuring these policy makers are aware of the Principles means they will be better able to draw from and be guided by them in their policy discussions and proposals, including their implementation frameworks.

### Example

The African Commission on Human and Peoples Rights (ACHPR) was the first human rights institution to recognise the Abidjan Principles in June 2019 in its resolution addressing the presence and impact of private actors in education and health services. This was followed by the UN Special Rapporteur on the right to education, Dr Boly Barry (July 2019), who published a report on using the Abidjan Principles to achieve SDG 4 on education. The Abidjan Principles were also acknowledged by the UN Human Rights Council (July 2019); and the High Commissioner for Human Rights, Ms Michelle Bachelet (October 2019). In November 2019, the Abidjan Principles were also acclaimed as one of ‘the most promising governance projects’ and awarded support to scale up at the Paris Peace Forum.

In January 2020, the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights of the Organisation of American States (OAS) recognised the APs as a ‘valuable specialised source of interpretation’ of State obligations with regard to the right to education in the Americas. This was followed by the ACHPR which recognised the APs for a second time when calling for the development of norms on State obligations where private actors are involved in

the provision of social services. In April 2020, the European Committee of Social Rights also referred to the APs in their statement on private sector involvement in education.

In July 2021, the UN Human Rights Council had adopted another important resolution that reaffirms its recognition of the Abidjan Principles. Most recently, in December 2021, the Abidjan Principles were taken into consideration by the Declaration of Inter-American Principles on Academic Freedom and University Autonomy issued by the Inter-American Commission on Human Rights (IACHR).



### 3. Capacity building and technical support to States

Although all States have committed to ensuring every person enjoys the right to education, in many instances it is challenging for States to take all the required steps to realise this right. The Abidjan Principles provide concrete guidance to States on how to organise their education systems to ensure everyone can enjoy the right to free, quality education.

#### Example

In June 2020, the UN Special Rapporteur on the right to education published a report advising States on how the Abidjan Principles can inform their responses to the impact that the COVID-19 pandemic has had on education. This report offers specific advice to States on priority measures to be taken to protect learners and teachers from the negative impact of the pandemic.

Also, the UNESCO International Institute for Educational Planning (IIEP), which supports national governments to plan and manage their education systems, has developed a new assessment tool based on the Abidjan Principles to ensure that national education sector plans meet the requirements of the right to education. This new tool will be published shortly.



### 4. Research and academic dissemination

The Abidjan Principles are also relevant to researchers and academics who can use them as a framework for empirical research on the state of education in different countries. Researchers and academics can use the Principles to develop indicators to use to determine the extent of realisation of the right to education,

and their findings can be instrumental for advocacy with governments and other institutions working to support the fulfilment of the right to education.

#### Example

In a multi-country [report](#) published in February 2020, ActionAid used the Abidjan Principles to assess the impact of private education providers on the right to education in Malawi, Mozambique, Nigeria and Tanzania, and provide recommendations to the States on steps to be taken to ensure the right to education is adequately respected and protected. This was a follow up to a similar [report](#) focusing on Ghana, Kenya, Malawi, Mozambique, Nigeria, Tanzania and Uganda.



## 5. Leveraging accountability mechanisms and development of authoritative standards

As a rigorous legal text affirming the binding duties of States, the Abidjan Principles can be used in formal accountability mechanisms such as the courts. These cases can focus on providing remedies and solutions for specific individuals or communities negatively impacted by particular policies and practices, and for strategic cases that seek to make a more systemic impact. By utilising the Abidjan Principles in this way, the judgements and declarations contribute to developing legal standards based on the Abidjan Principles.

#### Example

In a [case](#) challenging the financing model for the secondary school public-private partnership arrangement in Uganda, the High Court advised the Ugandan government to 'seek guidance from the Abidjan Principles in designing education programs in the country', particularly with regards to the State policy on public financing of secondary education and regulating private involvement in education.



## 6. Building collaboration with other actors and movements

Many of the issues addressed in the Abidjan Principles, particularly the involvement of private actors in education, are not unique to the education sector

only. It is, therefore, possible to collaborate with other actors and movements in other regions, sectors and approaches to deepen the understanding of the cross-cutting issues, challenges and opportunities, including opportunities to set cross-sectoral standards. This can also facilitate the development of collaborative strategies and tools, drawing from the experience and methodology used for the Abidjan Principles.

### Example

In July 2020, the African Commission on Human and Peoples' Rights [published](#) Guidelines on the Right to Water in Africa which echo the standards set in the Abidjan Principles regarding financing and public-private partnerships in the delivery of education. For instance, the Water Guidelines also require effective regulations to be in place, and substantive and procedural conditions to be met before a State can delegate the provision of water services to a private provider.

This brief is part of a series of briefs that cover the scope, nature and development process of the Abidjan Principles, and actions to implement the Abidjan Principles that can be found [here](#).

Further resources, including training materials, consultation reports, background papers and videos on the Abidjan Principles can be found [here](#).

Learn more at:

Ⓜ[www.abidjanprinciples.org](http://www.abidjanprinciples.org) and visit

Ⓜ<https://www.gi-escr.org/abidjan-principles>

Get regular updates about the Abidjan Principles and follow the hashtag #AbidjanPrinciples on Twitter

Contact: [info@abidjanprinciples.org](mailto:info@abidjanprinciples.org)