



From rhetoric to practice: Worldwide recognition and use of the Abidjan Principles on the right to education



Updates of February 2021

Overview

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 by 57 eminent experts from around the world in Cote d'Ivoire in February 2019, after a three-year consultative process. They consolidate in one text existing law on the right to education, from various sources, treaties, including jurisprudence from courts and international treaty bodies, and legal opinions-- applied to the contemporary context, and in particular the growth of privatisation in education.

Recognition

Over the last two years, the Abidjan Principles have quickly gained recognition and momentum emerging as a game-changing tool for States striving to comply with their human rights obligations and for those who wish to hold States accountable. The Abidjan Principles have been recognised in the three main regional human rights systems as well as by global and national legal institutions and have gained a strong academic legitimacy. This shows that the Abidjan Principles are acknowledged as a concrete tool to analyse and reflect on education policies.

Award



PARIS
PEACE
FORUM

November 2019:

The Abidjan Principles were selected as one of the top ten 'most promising governance projects' by the Paris Peace Forum

[Read more on the Award](#)

Recognition by human rights bodies and legal institutions



January 2020:

The Special Rapporteurship on Economic, Social, Cultural and Environmental Rights of the Inter-American Commission on Human Rights (IACHR) recognised the Abidjan Principles as a 'valuable specialized source of interpretation' of State obligations with regard to the right to education within the framework of the Inter-American system. (para. 227).

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January 2020:

The Independent expert on the effect of foreign debt and other related international financial obligations of states on the full enjoyment of human rights recognised the Abidjan Principles in a new report on private debt and human rights (A/HRC/43/45 para.26).

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July 2019:

The United Nations Human Rights Council adopted a resolution on the right to education that recognised the Abidjan Principles (p.2).

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June 2019:

The African Commission on Human and Peoples' Rights adopted a resolution on States' Obligation to Regulate Private Actors Involved in the Provision of Health and Education Services drawing from and directly recognising the Abidjan Principle No. 5 (ACHPR / Res. 420 (LXIV) 2019).

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October 2019:

At the United Nations Social Forum 2019, the United Nations High Commissioner for Human Rights, Ms Michelle Bachelet, recognised the Abidjan Principles and emphasised that 'the principle of public education must be upheld'.

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April 2020:

The European Committee of Social Rights recognised the Abidjan Principles in an important statement on States' obligations towards public education.

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March 2020:

The African Commission on Human and Peoples Rights recognised the Abidjan Principles in a second resolution: Resolution on the Need to Develop Norms on States' Obligations to Regulate Private Actors Involved in the Provision of Social Services (ACHPR/Res. 434 (EXT.OS/XXVI1) 2020).

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July 2020:

The Report of the UN Special Rapporteur on the Right to Education highlights how the Abidjan Principles can guide States' response to the impact of the COVID-19 crisis on the right to education. (HRC Resolution A/HRC/44/39).

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July 2021:

The United Nations Human Rights Council adopted a resolution on the right to education that recognised the Abidjan Principles for the second time and further called on UN agencies to work with the Global Partnership for Education (GPE) and civil society to provide technical support to States to realise the right to education in the COVID-19 and post-COVID context.

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December 2021

The Inter-American Commission on Human Rights (IACHR) issued a Declaration of Inter-American Principles on Academic Freedom and University Autonomy recognising the Abidjan Principles as one of its reference texts.

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Use in court, policy, and academic research



March 2019:

The Abidjan Principles were used in the arguments as part of a lawsuit in Argentina on inclusion in private schools for persons with disability.

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July 2019:

The High Court of Uganda, in a case regarding public-private partnerships in education, directed the Government to regulate private actor involvement in education, largely quoting the Abidjan Principles.

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June 2019:

The Global Partnership for Education private sector engagement strategy recognised the Abidjan Principles and stated that 'no GPE funds can be used to support for-profit provision of core education services' (p.11).

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June 2020:

The South African Constitutional Court ruled that independent (private) schools are required to afford parents and learners a fair opportunity to be heard on whether a decision to terminate a contract with the school is in the best interests of the children concerned. Equal Education Law Centre referred explicitly to the Abidjan Guiding Principle 55 in its submissions.

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June 2019:

The Abidjan Principles were published in full in the June 2019, Volume 8 - Issue 1 of the International Human Rights Law Review.

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July 2019:

The African Commission on Human and Peoples Rights published Guidelines on the Right to Water in Africa which echo the key concept from the Abidjan Principles on the right to education.

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April 2021:

The ten background papers produced to inform the development process of the Abidjan Principles were published in a book titled 'Realizing the Abidjan Principles on the Right to Education: Human Rights, Public Education, and the Role of Private Actors in Education'

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The Global Initiative
for Economic, Social and Cultural Rights

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