

## CONCEPT NOTE

### **SIDE EVENT DURING THE UPCOMING SESSION OF THE 19<sup>th</sup> ACERWC CSO FORUM ON RECLAIMING PUBLIC SERVICES FOR THE ADVANCEMENT OF CHILDREN'S RIGHTS IN AFRICA**

In the last four decades, following structural adjustment reforms and the multi-faceted neo-liberal reordering of African countries towards market economies, promoted by a new aid architecture that devalued investment in public services, there has been a gradual weakening of public services across the continent. Many African countries, to date, struggle with weak and dysfunctional public service systems in key sectors like education, health, clean and safe water, among others.

This is as a result of chronic underfinancing, privatisation and commercialisation of public services. In various African countries, public expenditure on public services such as education and health is far below the regional and international commitments. Conversely, the private sector is increasingly relied upon to deliver social services like health care and education, organized in procedures ranging from purely private to public private partnerships (PPPs). There has been an unprecedented increase of private providers of these services – in Africa, and worldwide. Countries like Kenya have gone from 3% of private schools in 1999 to over 30% in 2011,<sup>1</sup> while Morocco has tripled the share of private schools between 2000 and 2012.<sup>2</sup> In health, 55% of the health facilities in Uganda are private or community owned.<sup>3</sup> Lesotho has spent more than half of its health budget in a hospital managed by a private actor under a public-partnership agreement.<sup>4</sup>

Underinvestment in public services and the rapid unregulated expansion of private actors risks undermining human rights obligations and aggravating inequality and exclusion with a growing discriminatory gap, especially for children. Children from poor backgrounds - who are unable to pay for these services and for whom the public system is, frequently the first, and in many instances the only, point of assistance - are often left behind. States are gradually abdicating their responsibility to provide essential public services like health and education.

COVID-19 brought these issues into starker focus. The pandemic has revealed the importance of

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<sup>1</sup> *Kenya's support to privatisation in education and its impact on discrimination and segregation* (May 2015), Preliminary parallel Report submitted by the Economic and Social Rights Centre (Hakijamii) and the Global Initiative for Economic, Social and Cultural Rights on the occasion of the examination of the report of Kenya during the 71st session of the UN Committee on the Rights of the Child, available on <http://bit.ly/1BOL3ah>.

<sup>2</sup> Parallel Report submitted by the Coalition Marocaine pour l'Éducation pour Tous, the Global Initiative for Economic, Social and Cultural Rights, and Sylvain Aubry to the Pre-sessional Working Group of the Committee on the Rights of the Child on the occasion of the consideration of the List of Issues related to the Third and Fourth Periodic Reports of Morocco during the Committee's 67th Session (December 2013).

<sup>3</sup> Ministry of Health, *National Health Facility Master List* (2018) <http://library.health.go.ug/publications/health-facility-inventory/national-health-facility-master-facility-list-2018> ; Initiative for Social and Economic Rights (ISER) *Achieving Equity in Health, Are Public Private Partnerships the Solution?* (April 2019), <https://www.iser-uganda.org/publications/reports/397-achieving-equity-in-health-are-public-private-partnerships-the-solution>

<sup>4</sup> A. Marriott, *A Dangerous Diversion: Will the IFC's flagship health PPP bankrupt Lesotho's Ministry of Health?* (April 2014), available on <https://www.oxfam.org/sites/www.oxfam.org/files/bn-dangerous-diversion-lesotho-health-ppp-070414-en.pdf>

robust public policies and fully functioning and well-resourced public services. COVID-19 emphasized how many African States suffer from inadequate education and public health systems. A more just recovery therefore requires stronger investment in public social services. In order to realise economic and social rights in Africa and to ensure States are more resilient to future crises, investment in fully functioning and well-resourced public social services is key.

The proposed panel will therefore discuss why investing in public services is an imperative for the advancement of children’s rights in Africa.

The panel is co-organised by the Initiative for Socio-Economic Rights (ISER), the East African Centre for Human Rights (EACHRights), Public Services International (PSI) and the Global Initiative for Economic, Social and Cultural Rights (GI-ESCR).

### **Proposed Panel**

**Moderator:** Ms Atori Elizabeth, ISER

### **Panelists**

- Brian Kiira, Program Officer, Business and Human Rights, ISER
- Johnstone Shisanya, Programme Manager Education Support Programme, EACHRights
- Dr Ravi Ram, People’s Health Movement, East Africa
- Alhassan Adam, VC Scholar at the University of Greenwich

### **Format:**

This panel discussion will be held virtually and conducted in an interactive and participatory manner as participants will be invited to contribute, aside from the speakers’ interventions.

### **Date and time:**

9th November 2021, 2:00pm - 3:30pm EAT

### **Programme:**

<b>Time</b>	<b>Topic</b>	<b>Speaker/Facilitator</b>
<b>2:00-2:05</b>	<b>Welcoming remarks</b>	<b>Ms Atori Elizabeth</b>
<b>2:05-2:15</b>	<b>Presentation of the <a href="#">Manifesto on Public Services</a> (followed by its circulation for more endorsements)</b>	<b>Brian Kiira</b>
<b>2:15-2:35</b>	<b>Survey and questions:</b> - Which public services do you think are specifically essential to the realisation of children's rights and welfare and in	Participants to respond on a jamboard  <b>Facilitator: EACHRights</b>

	<p>what sense?</p> <ul style="list-style-type: none"> <li>- In your opinion, what characteristics should public services embody for the realisation of children's rights and welfare?</li> </ul>	
<b>2:35-2:45</b>	<b>Public service of education and children's rights</b>	<b>Johnstone Shisanya</b>
<b>2:45-2:55</b>	<b>Public healthcare services and children's rights</b>	<b>Dr Ravi Ram</b>
<b>2:55-3:05</b>	<b>Public service of water and children's rights</b>	<b>Alhassan Adam</b>
<b>3:05-3:25</b>	<p><b>Discussions on the way-forward :</b></p> <ul style="list-style-type: none"> <li>- What strategies can CSOs put in place for the advancement of children's rights through public services at the national level?</li> <li>- Proposing a General Comment on the right to education and the importance of public education to the Committee</li> <li>- Any other proposals to the Committee</li> </ul>	<p>Participants to respond on a Google doc</p> <p><b>Facilitator: GI-ESCR</b></p>
<b>3:25-3:30</b>	<b>Concluding remarks</b>	<b>Ms Atori Elizabeth</b>