

THE EDUCATION MONITORING BRIEF

The Equal Education Law Centre (**EELC**) uses legal advocacy, research, and litigation to advance the struggle for equal and quality education and early childhood development in South Africa. The EELC Education Monitoring Brief is a digital newsletter highlighting key legal and policy developments in education and early childhood development and providing the latest updates from parliament and our courts.

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IN THE SPOTLIGHT: GLOBAL LAUNCH OF THE 2023 GEM REPORT ON TECHNOLOGY AND EDUCATION

The 2023 Global Education Monitoring (GEM) Report *“Technology in education: A tool on whose terms?”* was published on 26 July. The GEM report is a mechanism for monitoring and reporting on Sustainable Development Goal 4 (SDG) and on education in the other SDGs. The 2023 report focuses on the adoption of digital technology in the education sector and the consequences thereof. The report finds that evidence on the impact of education technology is in short supply, largely because technology develops so rapidly and the evidence that does exist often comes from those trying to sell it. Importantly, it notes that educational technology “offers an education lifeline for millions but excludes many more”.

Technology has enhanced access in many cases, examples of this include the use of assistive devices for visually impaired learners or the use of radio and television lessons for hard-to-reach populations, especially during times of COVID-19. On the other hand, distance learning during the pandemic failed to reach at least half a billion learners, and 72% of learners in the poorest countries. The report also notes that “technology is often bought to plug a gap, with no view to the long-term consequences” for national budgets, for children’s wellbeing, and for the planet.

The full report can be found [here](#). The report was published alongside [20 background papers](#) and more than [200 PEER country profiles](#) on laws and policies on technology in education.

OTHER DEVELOPMENTS IN THE EDUCATION SECTOR

» DRAFT PUBLIC PROCUREMENT BILL TABLED BEFORE PARLIAMENT

The [Draft Procurement Bill](#) has been tabled before Parliament and there is likely to be another call for public comment once Parliament returns from recess. The Bill aims to simplify, streamline, and consolidate procurement law by creating a single framework for public procurement. The Bill has the potential to strengthen accountability and transparency measures – one way in which it tries to do this is through the establishment of a central oversight body. On 13 July, Director of the African Procurement Law Unit [Professor Geo Quinot spoke](#) on what this oversight body will look like and how effective it could be at curbing issues in procurement systems.

The Draft Procurement Bill will significantly impact the delivery of services and resources to schools, such as infrastructure and the National School Nutrition Programme (NSNP). The current procurement framework arguably contributes to delays in delivery, increased costs and greater scope for non/underperformance and corruption. In 2020, the Equal Education Law Centre and Equal Education submitted comments on the Bill – for more information on how the Bill may impact school resource delivery, see our comments [here](#).

Department of Basic Education announces dates for 2024 School Governing Body Elections

On 13 July, Minister Motshekga released a gazette announcing that the period for the 2024 School Governing Body (SGB) 2024 elections will be from 1-31 March 2024.



PARLIAMENT IN RECESS

Parliament will be in recess from 19 June and will resume on 28 August. In addition, the National Council of Provinces also has its constituency period between 26 June and 31 July.

LAW AND POLICY SUBMISSIONS



CALL FOR COMMENTS: DRAFT AMENDMENT REGULATIONS REGARDING CHILDREN

The Department of Social Development has made [a call for comment](#) on the [Draft Amendment Regulations Regarding Children](#). Amongst other things, this amendment aims to provide for a quality assurance framework and procedure for child protection services and organisations; elaborate on the powers, duties and responsibilities of the Registrar of the National Child Protection register; and set criteria for the establishment and resourcing for designated childcare and protection units. Comments can be emailed to Ms M Sebopela at MatlhogonoloS@dsd.gov.za or Luyana Mtshotshisa at LuyandaMt@dsd.gov.za by no later than **Tuesday 8 August 2023**.

INTERNATIONAL TREATY BODIES AND UPDATES IN EDUCATION



CALL FOR INPUTS: HUMAN RIGHTS COUNCIL RESOLUTION 51/12 ON LOCAL GOVERNMENT AND HUMAN RIGHTS

The Office of the United Nations High Commissioner for Human Rights will hold a one-day expert meeting on enhancing capacity-building for local governments to incorporate human rights into their work, for the purpose of “developing guidance tools on human rights education for local governments, and to prepare and present a summary report for the fifty-sixth session of the Council”.

To inform the summary report and identify areas of concern, the Office of the United Nations High Commissioner for Human Rights is calling for inputs on topics including human rights capacity building initiatives implemented at local government level; the involvement of civil society and private sector; the capacity building gaps and needs in local government; and what the main challenges are in the promotion and protection of human rights at local level.

Local government plays a significant role in the delivery of Early Childhood Development (ECD). This call for inputs is an opportunity to highlight the importance of local government human rights obligations to deliver quality ECD services as well as assess the gaps in both implementation and capacity. Inputs may be sent by email to janica.puisto@un.org by **29 September 2023**. More information can be found [here](#).



CALL FOR INPUT: VIEWS OF YOUTH-LED AND YOUTH-FOCUSED ORGANISATIONS AND INSTITUTIONS ON THE FUTURE OF HUMAN RIGHTS FOR THE DEVELOPMENT OF THE HUMAN RIGHTS 75 YOUTH DECLARATION

The Office of the High Commissioner for Human Rights (OHCHR) is calling for inputs from youth-led and youth-focused organisations and institutions on the present challenges to and future of human rights. These inputs, together with the outcomes of the Global Youth Consultation, will inform the development of the Human Rights 75 Youth Declaration. Inputs are required on issues including the challenges the world is facing now and how they will affect the future of human rights; recommendations to decision and policymakers to advance human rights in the future; and what commitments and actions young people can take toward advancing human rights. Submissions are to be sent by email to ohchr-registry@un.org and ohchr-youth@un.org by **18h00 CEST 1 September 2023**. More information can be found [here](#).



UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS CALLS FOR SUBMISSIONS ON THE DEVELOPMENT OF PRACTICAL TOOLS TO ASSIST LAW ENFORCEMENT BODIES IN PROMOTING AND PROTECTING HUMAN RIGHTS IN THE CONTEXT OF PEACEFUL PROTEST

Resolution 50/21 mandates the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association to develop “specific technical and practical tools to assist law enforcement in promoting and protecting human rights in the context of peaceful protests”. The resolution raises concerns over human rights violations committed by State and non-State actors in the context of peaceful protests and recognises the potential role of law enforcement in promoting and protecting human rights in the context of protests. The Special Rapporteur seeks input with a view to gathering examples of protocols, guidelines, and other tools available to law enforcement relevant for facilitation of the right to peaceful assembly, as well as positive examples of strategies, measures, and practices undertaken by law enforcement around the world in promoting and protecting human rights in the context of peaceful protests. More information and guiding questions can be found [here](#). Responses should be submitted by **30 September 2023** to hrc-sr-freeassembly@un.org.



UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS CALLS FOR INPUTS ON HUMAN RIGHTS COUNCIL RESOLUTION 49/12 ON THE RIGHTS OF PERSONS WITH DISABILITIES

The Human Rights Council has made a call for input on resolution 49/12 on the rights of persons with disabilities for the purpose of informing the Office's next thematic report on “good practices on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic” to be presented at the 55th session of the Human Rights Council. The report aims to illustrate frameworks for community inclusion with good practices. Find more detail and guiding questions [here](#) and contact the Human Rights and Disability Unit at ohchr-disability@un.org for more information. Inputs must be **submitted by 1 August 2023** to ohchr-registry@un.org.

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