



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
27 November 2017

Original: English

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## Committee on the Elimination of Discrimination against Women

### General recommendation No. 36 (2017) on the right of girls and women to education

#### I. Introduction

1. Education plays a pivotal, transformative and empowering role in promoting human rights values and is recognized as the pathway to gender equality and the empowerment of women.<sup>1</sup> It is also an essential tool for personal development and for the development of an empowered workforce and citizenry that can contribute to civic responsibility and national development. In the United Nations Millennium Declaration, the General Assembly resolved to ensure that, by 2015, children everywhere would be able to complete a full course of primary schooling and that girls and boys would have equal access to all levels of education (resolution 55/2).

2. Despite important progress, that goal was not achieved. The education of girls and women is considered to be one of the most effective investments for sustainable and inclusive development; however, in 2012, 32 million girls of primary school age around the world were out of school, representing 53 per cent of all out-of-school children, as were 31.6 million adolescent girls (50.2 per cent) of lower secondary school age.<sup>2</sup> Even where educational opportunities are available, inequalities persist, preventing women and girls from fully taking advantage of such opportunities. In September 2013, the United Nations Educational, Scientific and Cultural Organization (UNESCO) reported<sup>3</sup> that 773.5 million adults (15 years of age or older) worldwide were illiterate, and 61.3 per cent of them were women, while among youth (15 to 24 years of age) 125.2 million were illiterate, with women and girls representing 61.3 per cent of that population. Girls and women are disproportionately discriminated against during the schooling process in terms of access, retention, completion, treatment and learning outcomes, as well as in career choices, resulting in disadvantage beyond schooling and the school environment.

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<sup>1</sup> Azza Karam, "Education as the pathway towards gender equality", *UN Chronicle*, vol. L, No. 4 (2013).

<sup>2</sup> UNESCO Institute for Statistics and United Nations Children's Fund, *Fixing the Broken Promise of Education for All: Findings from the Global Initiative on Out-of-School Children* (2015).

<sup>3</sup> UNESCO Institute for Statistics, Adult and youth literacy fact sheet No. 26, September 2013. Available from [http://uis.unesco.org/sites/default/files/documents/fs26-adult-and-youth-literacy-2013-en\\_1.pdf](http://uis.unesco.org/sites/default/files/documents/fs26-adult-and-youth-literacy-2013-en_1.pdf).



3. The need to ensure inclusive and quality education for all and promote lifelong learning is a priority of Sustainable Development Goal 4, as contained in General Assembly resolution 70/1, adopted with a view to transforming the world by 2030. Two critical education targets to be met are ensuring that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes; and eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations. In the Education 2030 Framework for Action, adopted on 4 November 2015 by the General Conference of UNESCO, and considered by the global education community as complementary to the Sustainable Development Goals, it is acknowledged that gender equality is inextricably linked to the right to education for all and that its achievement requires taking a rights-based approach, in order to ensure that all learners not only gain access to and complete education cycles, but are empowered equally in and through education.

4. However, certain factors disproportionately prevent girls and women from claiming and enjoying their basic human right to education. Such factors include barriers to access for girls and women from disadvantaged and marginalized groups, exacerbated by poverty and economic crises, gender stereotyping in curricula, textbooks and teaching processes, violence against girls and women in and out of school and structural and ideological restrictions to their engagement in male-dominated academic and vocational fields.

5. The gap between the legal recognition of the right of girls and women to education remains critical, and the effective implementation of that right calls for further guidance and action on article 10 of the Convention, as set out below. The recommendations herein are grounded in existing jurisprudence under the Convention, including the Committee's concluding observations and existing general recommendations, and information obtained from submissions received and oral presentations made by States parties and a wide range of stakeholders, including non-governmental and civil society organizations and academics, at a preliminary half-day consultation hosted by the Committee in July 2014.<sup>4</sup>

## II. Justiciability of the right to education

6. Since the adoption of the Universal Declaration of Human Rights by the General Assembly in December 1948, education has been acknowledged as a basic human right. Subsequently, several international, regional and national instruments and court decisions<sup>5</sup> have established that the right is justiciable and consequently enforceable in law. Those instruments therefore provide that protection from discrimination in the field of education is an underlying and basic principle of human rights law.

7. Therefore, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice, all States parties have an obligation to protect girls and women from any form of discrimination that denies them access to all levels of education and to ensure that, where that occurs, they have recourse to avenues of justice.

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<sup>4</sup> See [www.ohchr.org/EN/HRBodies/CEDAW/Pages/Womensrighttoeducation.aspx](http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Womensrighttoeducation.aspx).

<sup>5</sup> See *SERAP v. Nigeria*, judgment, Court of Justice of the Economic Community of West African States (suit No. ECW/CCJ/APP/12/07; judgment No. ECW/CCJ/JUD/07/10 (30 November 2010)).

### III. Right to education: existing normative framework

8. In addition to the Universal Declaration of Human Rights, the right to education is enshrined in a number of international and regional<sup>6</sup> legally binding instruments. States parties, therefore, have an obligation to respect, protect and fulfil the right to education, which must be justiciable in national legal systems.

9. As a human right, education enhances the enjoyment of other human rights and freedoms, yields significant development benefits, facilitates gender equality and promotes peace. It also reduces poverty, boosts economic growth and increases income, increases the chances of having a healthy life, reduces child marriage and maternal deaths and provides individuals with the tools to combat diseases.

10. Although it is recognized internationally, including by UNESCO, that education can be progressively implemented according to available resources, the aspects of national law that constitute the core of the right to education must be immediately implemented, including ensuring the right of access to public educational institutions and programmes on a non-discriminatory basis, ensuring that education conforms to the objectives set out in international standards, providing primary education for all, adopting and implementing a national educational strategy that includes the provision of fundamental, secondary and higher education and ensuring free choice of education, without interference from the State or third parties, subject to conformity with minimum educational standards.<sup>7</sup>

11. International legally binding instruments on the right to education include the following: International Covenant on Economic, Social and Cultural Rights (article 13); International Convention on the Elimination of All Forms of Racial Discrimination (article 5); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (article 30); Convention on the Rights of Persons with Disabilities (article 24); Convention on the Rights of the Child (article 28); International Charter of Physical Education, Physical Activity and Sport of UNESCO (article 1); and Convention on Technical and Vocational Education of UNESCO.

12. Non-binding political commitments and global strategies reiterate the responsibilities of Governments in recognizing education as a catalyst for accelerating national development and social transformation. States are called upon to take strategic action in confronting inequalities and inadequacies in the access of girls and women to education and training. They include the following: Programme of Action of the International Conference on Population and Development, 1994; Beijing Platform for Action, 1995; World Declaration on Education for All, 1990; Dakar Framework for Action, 2000; Millennium Development Goals, 2000; and 2030 Agenda for Sustainable Development, 2015, which includes the Sustainable Development Goals and targets aimed at the elimination of all forms of discrimination against all women and girls.

<sup>6</sup> Arab Charter on Human Rights, Charter of the Organization of American States, American Declaration of the Rights and Duties of Man, African Charter on Human and Peoples' Rights, African Charter on the Rights and Welfare of the Child, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, first Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms and European Convention on the Legal Status of Migrant Workers.

<sup>7</sup> UNESCO, "The right to education: law and policy review guidelines" (2014). Available from <http://unesdoc.unesco.org/images/0022/002284/228491e.pdf>.

#### **IV. Scope of the general recommendation: the tripartite human rights framework**

13. Education that empowers girls and women equips them with capacities to claim and exercise broader socioeconomic, cultural and political rights, on an equal basis with boys and men in their societies. To achieve gender equality all aspects of the education system, laws and policies, educational content, pedagogies and learning environments should be gender sensitive, responsive to the needs of girls and women and transformative for all.

14. The present general recommendation is grounded in a human rights framework for education, which is focused on three dimensions. The first is the right of access to education; the second, rights within education; and the third, the instrumentalization of education for the enjoyment of all human rights through education. The tripartite framework largely reflects the rights set out by the Special Rapporteur on the right to education in the framework on governmental obligations on school accessibility, availability, acceptability and adaptability<sup>8</sup> and referred to below.

15. The right of access to education involves participation and is reflected in the extent to which girls and boys and women and men are equally represented and the extent to which there is adequate infrastructure at the various levels to accommodate the respective age cohorts. Attendance, retention in school and transition from one level to another are indicators of the degree to which the right of access to education is respected.

16. Rights within education extend beyond numerical equality and are aimed at promoting substantive gender equality in education. They concern equality of treatment and opportunity, as well as the nature of gender relations between female and male students and teachers in educational settings. The equality dimension is particularly important, given that society shapes and reproduces gender-based inequalities through social institutions, and educational institutions are critical players in that regard. Instead of challenging entrenched discriminatory gender norms and practices, in many societies, gender stereotypes are reinforced through schooling and it maintains the gender order of society, expressed through the reproduction of the female/male and subordination/domination hierarchies and the reproductive/productive and private/public dichotomies.

17. Rights through education define the ways in which schooling shapes rights and gender equality in aspects of life outside the sphere of education. The absence of such a right is particularly evident when education, which should be transformational, fails to significantly advance the position of women in the social, cultural, political and economic fields, thereby denying their full enjoyment of rights in those arenas. A central concern is whether certification carries the same value and social currency for women as for men. Global trends show that, in many instances, even where the educational attainment of males is lower than that of females, males occupy better positions in those arenas.

18. The present general recommendation is aimed at ensuring that regional disparities and within-country inequalities based on the multiple and intersecting forms of discrimination that prevent girls and women from enjoying rights to, within and through education are addressed and ultimately eliminated. The present general recommendation expands upon article 10 of the Convention and links it with all other articles and the relevant existing general recommendations to establish the correlation

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<sup>8</sup> See [E/CN.4/1999/49](#).

between the right to education and the enjoyment of other rights enshrined in the Convention.

19. The target users of the present general recommendation include: all State officials tasked with the formulation and implementation of legal and policy decisions pertaining to public and private education at all levels; academia and researchers; student, teacher and parent associations; government agencies and non-governmental organizations engaged in girls' and women's education; traditional and faith-based organizations; the media; and corporate organizations and trade unions.

## V. Addressing gender-based discrimination in education

20. The Convention is the international bill of rights for women and serves as binding international law for the 189 States that have ratified it as at June 2017. Article 10 addresses women's and girls' legal right to education; States parties are to take all appropriate measures to eliminate discrimination against women in order to ensure them equal rights with men in the field of education and thereby to eliminate discrimination against women in education throughout the life cycle and at all levels of education. To meet the criterion of non-discrimination, education must be accessible, in both law and practice, to all girls and women, including those belonging to disadvantaged and marginalized groups, without discrimination on any prohibited ground.

21. Article 1 of the Convention defines discrimination as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. States parties are required therefore to ensure not only that education is recognized as a human right but also that appropriate conditions are created for that right to be fully and freely enjoyed and exercised by girls and women.

22. In specifying situations and requirements by which States parties must ensure the realization of the right for men and women, and their enjoyment of that right, on an equal basis, article 2 of the Convention reaffirms both negative and positive obligations. Its core is the prohibition of discrimination, which implies that States parties must refrain from interfering, directly or indirectly, with the full enjoyment by girls and women of their right to education — the obligation to respect. Similarly, States parties must take positive steps to meet their obligation to fulfil, by ensuring rights to, within and through education for the full development of the potential of girls and women on an equal basis with men.

23. The gains in numerical equality that girls and women have made in the field of education in some regions of the world conceal the continuing discrimination that they face in spite of the existence of formal legal and policy frameworks intended to promote de facto equality. The protections of equality contained in formal instruments are effective only if those instruments are enforced, in line with provisions set out in articles 1 and 2 of the Convention.

**24. The Committee recommends that States parties institute the following measures to respect, protect and fulfil the rights of girls and women to, within and through education:**

(a) **Enhance compliance with article 10 of the Convention and raise awareness in society of the importance of education as a fundamental human right and the basis for the empowerment of women;**

- (b) **Integrate age-appropriate education on women's human rights and the Convention into school curricula at all levels;**
- (c) **Undertake constitutional amendments and/or other appropriate legislative action to ensure the protection and enforcement of the rights of girls and women to, within and through education;**
- (d) **Enact legislation that provides for the right to education, throughout the life cycle, for all girls and women, including all disadvantaged groups of women and girls;**
- (e) **Eradicate and/or reform policies, institutional, administrative and regulatory directives and practices that directly or indirectly discriminate against girls or women within the education sector;**
- (f) **Enact legislation that sets the minimum age of marriage for girls at 18 years and, in compliance with international standards, align the end of compulsory education with the minimum age of employment;**
- (g) **Review and/or abolish laws and policies that allow the expulsion of pregnant girls and teachers and ensure that there are no restrictions on their return following childbirth;**
- (h) **Recognize rights in education as legally enforceable and that, upon the violation of those rights, girls and women have equal and effective access to justice and the right to remedies, including reparation;**
- (i) **Monitor the implementation of the national, regional and international provisions governing the right of girls and women to education, ensuring the right to remedy where there are violations;**
- (j) **Work with the international community and civil society towards the enhancement and development of the right of girls and women to education.**

## **VI. Addressing gender stereotyping**

25. Discrimination faced by girls and women in education is both ideological and structural. The ideological dimension is addressed in articles 5 and 10 (c) of the Convention; States parties are to modify accepted social and cultural patterns of conduct of men and women which are based on stereotyped roles for women and men, which is of paramount significance in ensuring that women and girls can enjoy their rights to, within and through education, and essential, as these discriminatory practices not only are exercised at the individual level but also are codified in law, policy and programmes and are therefore perpetuated and enforced by the State.

26. In article 5 (a), the structural dimension of discrimination is described as being rooted in prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. States parties are to adopt measures towards a real transformation of opportunities, institutions and systems so that they are no longer grounded in historically determined male paradigms of power and life patterns. The education system is an example of an area for transformation that, once achieved, can accelerate positive change in other areas.

**27. In line with articles 5 and 10 (c) of the Convention, the Committee recommends that States parties strengthen efforts and take proactive measures to eliminate gender stereotyping in education that perpetuates direct and indirect discrimination against girls and women by:**

(a) **Challenging and changing patriarchal ideologies and structures that limit girls and women from freely and fully exercising and enjoying their human rights to, within and through education;**

(b) **Developing and implementing policies and programmes, including awareness-raising and educational campaigns about the Convention, gender relations and gender equality, at all levels of schooling and among society at large, directed at modifying the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary practices, in line with article 5 (a) of the Convention;**

(c) **Encouraging the media to project positive and non-sexualized images of women, including women and girls from ethnic minority groups, older women and women and girls with disabilities, and promote the value of gender equality for society as a whole;**

(d) **Revising and developing non-stereotypical educational curricula, textbooks and teaching materials to eliminate traditional gender stereotypes that reproduce and reinforce gender-based discrimination against girls and women and to promote more balanced, accurate, healthy and positive projections of the images and voices of women and girls;**

(e) **Instituting mandatory training of teaching staff at all levels of education on gender issues and gender sensitivity and the impact of gendered behaviours on teaching and learning processes.**

## **VII. The right of access to education**

28. The right of girls and women of access to high-quality education is based on the availability of adequate infrastructure to meet their needs. Without such availability, the right of access is compromised. When girls and women lack access to high-quality education, they ultimately face major difficulties, including lack of personal autonomy and choices, including control over their health and sexual and reproductive decisions, lower-quality health care for themselves and their children, intergenerational poverty and lack of power-sharing and participation on an equal basis with boys and men in both the private and public domains. Ensuring that right necessitates paying due attention to physical, technological and economic access, in particular for disadvantaged groups and those in precarious situations.

### **Physical access: availability of adequate infrastructure**

29. Availability refers to providing functioning educational institutions and programmes in sufficient quantity to meet the needs of girls and women within the jurisdiction of the State party irrespective of their location (article 14) or any other factor. Access to educational institutions must be provided within safe reach for girls and women, either by ensuring that they are accessible at some reasonably convenient geographical location or through technological means. Proximity to schools, in particular in rural areas, is crucial, given the prevalence of gender-based violence against girls and women in public spaces and the risk that they face when travelling to and from school. School distance can constitute a significant barrier to school attendance, especially in rural areas, where over 80 per cent of all out-of-school children live.

30. Essential consideration must be given to providing adequate infrastructure in educational institutions in order to remove the barriers to the successful completion of school faced by girls from the age of menarche. Lack of an enabling school environment, including inadequate water and sanitation and hygiene facilities

segregated by gender, untrained or unsupportive staff, lack of appropriate sanitary protection materials and lack of information on puberty and menstrual issues, contribute to social exclusion, reduced participation in and focus on learning and decreased school attendance.

**31. The Committee recommends that States parties take the following measures to ensure the availability of physical facilities for the education of girls and women:**

(a) **Provide adequate budgetary, human and administrative resources to ensure that adequate provision is made at the primary and secondary levels to accommodate all girls according to their respective population age cohorts;**

(b) **Address imbalances in budgetary allocations for disadvantaged and marginalized groups of girls and women based on socioeconomic status, location, ethnicity, gender identity and religious persuasion;**

(c) **Institute temporary special measures, in line with article 4 of the Convention, to increase the number of qualified teachers, in particular women, where the teaching force consists predominantly of men, including through the provision of appropriate and continued training;**

(d) **Monitor the implementation of the right of girls and women to education by regularly collecting data disaggregated by sex, location, age, school type and ethnic group on access at all levels of education, including the following indicators: number of female and male students enrolled, and as a proportion of the overall school-age population, at each level of education; retention, dropout, attendance and repetition rates; average years of schooling for female and male students; rate of successful transition between school levels, including for early childhood to primary, primary to secondary and secondary to tertiary or vocational; number of male and female teachers, as an indication of the level of parity among teachers; and female and male literacy rates at different age levels; and by using the information to inform decision-making, policy formulation and periodic reports to the Committee on barriers to girls' and women's access to education;**

(e) **Adopt strategies to encourage and monitor school enrolment, attendance, retention and reintegration after dropout, based on disaggregated data;**

(f) **Improve sanitation facilities by providing sex-segregated toilets and washrooms in all schools, as well as access to safe drinking water.**

**32. The Committee recommends that States parties take the following measures to ensure access to education for all girls and women:**

(a) **Ensure that girls and women living in rural and remote areas have access to education, in line with articles 4 and 14 (d) of the Convention, and adopt temporary special measures, when appropriate, to support their right to education;**

(b) **Ensure that schools are physically accessible and located within safe distances from students' homes, in particular in rural and remote areas;**

(c) **Provide opportunities for access to programmes of continuing education, including adult and functional literacy programmes, in particular those aimed at reducing any gaps in education between men and women (article 10 (e));**

(d) **Institute policy initiatives, including social protection programmes, school feeding initiatives and the provision of sanitary protection materials to increase school attendance, in particular in rural and remote areas;**

(e) **Provide hostels and transportation for girls where the distance between home and school inhibits access to education and ensure that girls in such facilities are protected from sexual and other forms of abuse;**

(f) **Train teachers to provide a supportive environment and culture that allows pubescent girls to participate confidently in learning, without fear, shame or risk.**

#### **Technological accessibility**

33. Where financing is limited, an alternative to providing physical access to educational facilities is through the use of information and communications technologies in distance and open learning settings. Such approaches provide distinct benefits for girls and women with limited access to conventional forms of education and training, including those who are excluded owing to distance from school in rural areas, domestic work and parental responsibilities, in particular in cases of child marriage and adolescent pregnancy, and on the basis of other social and cultural barriers. Women who want to pursue advanced education while combining work and domestic responsibilities also benefit from those possibilities.

34. Other distinct benefits that can be derived from the use of open learning technologies are the development of new patterns of teaching and learning, the fostering of a new learning culture, increased flexibility for adult learners, opportunities for employers to provide cost-effective professional development on the job and opportunities for Governments to increase the cost-effectiveness of and capacity for education and training.

35. **The Committee recommends that States parties take the following measures where opportunities for girls and women to gain access to education through distance and open learning do not exist:**

(a) **Examine the feasibility of introducing access, at the upper secondary and tertiary levels, by setting up facilities to provide certification through the pursuit of open learning opportunities;**

(b) **Upgrade teachers' knowledge and competence in the use of information and communications technologies and provide training in the skills required to operate in an open learning environment;**

(c) **Ensure that girls and women belonging to disadvantaged groups, those from rural communities and those with low levels of literacy are not excluded from such opportunities owing to a lack of access to the tools and the skills required for meaningful participation.**

#### **Economic accessibility**

36. Education must be affordable for all, without discrimination based on sex or any other prohibited ground, and should be free and compulsory from preschool through secondary school and progressively made free through the tertiary level. Despite the existence of legislation providing for free education up to a stipulated age or grade level, in many States parties, auxiliary fees are imposed on students attending public schools to augment government subsidies. In addition, parents are faced with meeting the hidden costs of uniforms, transportation, textbooks and other school materials, school lunch and various levies and user fees, with students from the poorest quintile being most adversely affected and often stigmatized.

37. The monetization of access, through user fees, forces poor parents to choose which of their children to send to school, and they often show a preference for educating boys over girls. They decide on the basis of what they believe will be the maximum economic benefit to the family, over the long term, of their educational investment. Because of entrenched gender inequality, labour markets generally favour men. Parents therefore conclude that it is better to educate boys, who are able to gain access to better employment opportunities after their schooling. Parents' choices are also influenced by stereotypes that place girls in the domestic sphere.

38. In the context of economic crises, many States parties make cuts to social services, and education is outsourced to private entities, as well as provided by non-State organizations such as religious or community groups or non-governmental organizations. It has been established that privatization has specific negative consequences for girls and women, and in particular girls from poorer families, namely, their exclusion from education.

**39. The Committee recommends that States parties take all measures to ensure that user fees and hidden costs do not have a negative impact on girls' and women's access to education by instituting the following measures:**

(a) **Universal, free and compulsory education from preschool to secondary school, regardless of socioeconomic status, for citizens of the State party, as well as for girls and women with migrant or refugee status;**

(b) **Affordable education at the tertiary level, by reducing user fees and indirect and opportunity costs;**

(c) **Introduction of social safety nets and other measures to ensure that girls and women from lower socioeconomic strata are not denied access to any level of education on the basis of their inability to pay user fees or meet hidden costs;**

(d) **Ensuring that private actors respect the same standards regarding non-discrimination of girls and women as do public institutions, as a condition of their running academic institutions;**

(e) **Campaigns targeting parents and the wider society to overcome male preference where education is concerned and recognize the value of educating girls.**

#### **Disadvantaged groups of girls and women**

40. Many girls and women are excluded from education and are marginalized because they are simultaneously exposed to the intersection of multiple forms of discrimination, as well as owing to lack of relevance of the curriculum, teaching conducted only in the majority language, exposure to violence, stigma or poverty. Such disadvantaged or vulnerable groups include the following.

##### *Students from ethnic minority groups and indigenous groups*

41. The majority of girls not in primary school belong to ethnic minority groups and other excluded groups. The main factors having an impact on the access of those groups to education include poverty, discrimination, lack of cultural relevance and, often, instruction delivered only in the dominant language, resulting in lower educational achievement, higher dropout rates, loss of heritage languages and lower self-esteem.

*Students who are refugees, asylum seekers, Stateless, undocumented, internally displaced and migrants*

42. When forcibly uprooted, girls and women in those situations end up in camps with no schools or in makeshift schools with limited capacity, without curricula or instruction in their languages. Displacement causes particular barriers to learning; human resources may be lost and physical infrastructure destroyed and, during flight, children may lose State-mandated documentation, thereby preventing them from enrolling in new schools. Girls can be particularly affected during displacement because the situation of increased insecurity causes some parents to keep girls at home.

*Students with disabilities*

43. Millions of girls and women with disabilities are deprived of the right to education as a result of intersecting forms of discrimination, on the basis of gender and disability. According to UNESCO, a third of out-of-school children worldwide are children with disabilities.<sup>9</sup>

44. Many Governments officially promote inclusive education; however, in practice, children with disabilities, especially girls, are either excluded or segregated in special schools. Low attendance rates of children with disabilities, in particular girls, have similar causes globally, namely, lack of physical accessibility, refusal of teachers or school principals to enrol such children, lack of accommodation of their needs in school curricula and teaching materials and, more generally, stigma and lack of awareness among parents and communities, which yield negative attitudes about the learning capacities of women and girls with disabilities. Additionally, the number of teachers trained to address students with special needs is often inadequate.

*Lesbian, bisexual, transgender, and intersex students*

45. Bullying, harassment and threats against such students by fellow students and teachers constitute barriers to their right to education. Schools perpetuate and reinforce social prejudices, often as a result of the poor implementation of policies by school governance bodies, as well as irregular enforcement of non-discrimination policies by teachers, principals and other school authorities. Limited education and cultural taboos are among the factors that prevent lesbian, bisexual, transgender, and intersex students from achieving social mobility and increase their vulnerability to violence.

**46. The Committee recommends that States parties take all appropriate measures to ensure the right of all categories of disadvantaged and marginalized groups to education by eliminating stereotyping and discrimination, removing barriers to access and implementing the following measures:**

(a) **Address stereotyping, in particular of indigenous girls and women and of those from minority groups, that puts them at risk in gaining access to education, exposes them to violence in school and the community and on their way to and from school, especially in remote areas;**

(b) **Address the low socioeconomic status and living conditions, in particular of indigenous girls and women and of those from minority groups, that are barriers to gaining access to education, in particular in the light of male preference where schooling is concerned in situations of scarce financial resources;**

<sup>9</sup> See <https://en.unesco.org/themes/inclusion-in-education>.

(c) **Ensure, when necessary, in collaboration with donors and humanitarian agencies, that adequate provision is made for the education and safety of all disadvantaged groups of girls and women;**

(d) **Ensure that the application of a mandatory dress code and banning of specific clothing does not hamper access to inclusive education, in particular for those of migrant backgrounds;**

(e) **Eliminate all forms of discrimination against girls and women with disabilities by identifying and removing legal, physical, social, financial, attitudinal, communication and language barriers within educational institutions and the community;**

(f) **Take the measures necessary to ensure non-discrimination against girls and women with disabilities at all levels of education by providing inclusive education in learning environments offering reasonable accommodation;**

(g) **Ensure the physical accessibility of educational institutions and prevent principals from blocking the enrolment of students with disabilities, in particular girls, and ensure that curricula, teaching materials and pedagogical strategies are tailored to the unique needs of individuals affected by the various forms of disability;**

(h) **In line with article 4 of the Convention, on temporary special measures, institute incentives to attract and train special education teachers for all levels of education;**

(i) **Address discrimination against lesbian, bisexual, and transgender, women and girls, and intersex persons by ensuring that policies are in place to address the obstacles that impede their access to education.**

#### **Access to education during situations of conflict and natural disaster**

47. Another factor constraining girls' and women's access to education is the total breakdown of infrastructure for State public service provision owing to armed conflict, resulting in the lack of delivery of essential services to the population. In conflict-affected areas, schools are closed owing to insecurity, occupied by State and non-State armed groups or destroyed, all of which impede girls' access to school. In its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee noted that other factors preventing girls' access to education include targeted attacks and threats to them and their teachers by non-State actors, as well as the additional caregiving and household responsibilities that they are obliged to undertake.

48. According to the Global Coalition to Protect Education from Attack, between 2005 and 2012, educational institutions were used in conflicts in at least 24 countries, across four continents. In addition to the risk of death or severe injury from attacks, students attending classes in schools under occupation by troops or armed forces may be exposed to physical or sexual abuse, with girls at greater risk than boys. The presence of armed men often discourages families from sending girls to school for fear that they will become victims of sexual violence or be subjected to sexual harassment. They therefore often marry off their daughters at an early age, believing that it may afford them protection. Overall, attacks on education and use of schools and universities by the military or armed groups have a disproportionate or discriminatory impact upon girls and women.

49. Women and children are the most vulnerable groups during any natural disaster. The destruction of or use of schools as community shelters for affected families have

serious consequences for access to education, causing loss of time for classroom instruction and high dropout rates.

**50. The Committee recommends that, in situations of conflict and natural disaster States parties implement the following measures to minimize their impact on girls' and women's access to education and to protect their rights to education and safety:**

(a) **Enact legislation, revise military practice and policy and introduce training to prohibit national armed forces and armed groups from using or occupying schools, school grounds or other educational facilities and institutions in a manner that violates international humanitarian law and/or the right to education under international human rights law;**

(b) **Institute measures to protect female students and teachers from physical and sexual abuse by State and non-State actors occupying educational institutions;**

(c) **Assess and address the impact of armed conflict on girls' and women's access to education;**

(d) **Bearing in mind Security Council resolution 1325 (2000) on women and peace and security and subsequent resolutions on women and peace and security, demonstrate a proactive commitment to take the measures necessary to prevent targeted attacks on educational institutions and to protect women and girls;**

(e) **Ensure the meaningful participation of women in monitoring attacks and in developing preventive, protective and peacebuilding measures, and ensure the participation of women, including those from disadvantaged groups, in their development;**

(f) **Devise effective, coordinated, reconstructive and rapid responses, including both legal and non-legal accountability measures to hold perpetrators accountable;**

(g) **Systematically investigate and prosecute, in accordance with international standards, those individuals responsible for ordering, taking part in or bearing command responsibility for the range of violations of international human rights, humanitarian and criminal law that constitute attacks on education;**

(h) **Ensure that, when schools are destroyed or used as shelters during natural disasters, girls' and women's access to schooling is not unduly curtailed;**

(i) **Give priority to the rehabilitation of schools affected by natural disasters, especially those serving disadvantaged girls and women;**

(j) **Ensure that all new school buildings adhere to prescribed building codes which incorporate disaster resilience, and carry out regular audits on existing schools.**

#### **Cultural barriers**

51. Even where there is adequate provision of education and accessibility is not a constraining factor, the persistence of patriarchal systems and cultural norms and practices based on those systems and the traditional roles associated with girls and women, can become powerful barriers to the enjoyment by girls and women of their right to education.

52. When girls are not in school, they are more likely to be forced to marry. The discriminatory and harmful practices of child and/or forced marriage, associated with religious or cultural practices in some societies, negatively impacts the right to education. When girls are unable to finish their education because of child and/or forced marriage and pregnancy, they face practical barriers, including forced exclusion from school, social norms confining girls to the home and stigma. Child marriage also contributes to an increased risk of domestic violence, reproductive health risks and limitations to the right to freedom of movement. By failing to curb child marriage, Governments fail in their obligation to ensure access to education for girls on an equal basis with boys.

53. In some regions of the world, the pervasive cultural practice of female genital mutilation hinders and/or ends girls' education. Complications following the procedure can cause girls to be less focused in school or absent, resulting in poor performance and ultimately premature termination of their studies. In some countries, the high cost associated with the procedure also has an impact on parents' capacity to subsequently meet school expenses, resulting in girls dropping out of school. Forced marriage after the procedure, considered an initiation into maturity, can also lead to dropout due to pregnancy or a focus on responsibilities in the home.

54. Poverty, combined with cultural practices, necessitates children's undertaking both paid and unpaid work. In a report of 2015 on child labour and education,<sup>10</sup> the International Labour Organization (ILO) indicated that 168 million children 5 to 17 years of age were trapped in child labour. Girls are overrepresented in the care economy involving work in their own or others' households and bear the double burden of work inside and outside the home, often with little or no time left for schooling. For those who manage to combine school and work, performance often suffers, leading to dropout. In many regions, the practice of child labour is also culturally determined, with children incorporated in family-related work in particular seasons or on certain days of the week.

**55. The Committee recommends that States parties take the following measures to mitigate the impact of cultural and religious practices on girls' and women's access to education:**

(a) **Protect girls and women from being deprived of their right to education on the basis of patriarchal, religious or cultural norms and practices, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices;**

(b) **Facilitate dialogue with religious and traditional leaders on the value of educating girls and the importance of addressing practices and customs that act as barriers to their participation at all levels of education;**

(c) **Ensure that the minimum age of marriage, with or without parental consent, is set at 18 for girls, in line with joint general recommendation No. 31/general comment No. 18;**

(d) **Integrate the topic of female genital mutilation into formal and non-formal education, so that it is openly discussed, without stigma, to enable girls and women to receive accurate information on the detrimental and harmful effects of the practice, in line with the Committee's general recommendation No. 14 (1990) on female circumcision;**

<sup>10</sup> ILO, *World Report on Child Labour 2015: Paving the way to decent work for young people* (2015).

(e) Train teachers, facilitators and youth workers to equip them to educate girls about female genital mutilation and support those at risk of undergoing the procedure or who have already undergone the procedure;

(f) Encourage religious and community leaders to oppose the practice of female genital mutilation and to inform and educate their communities on the dangers of the practice;

(g) Formulate re-entry and inclusive education policies enabling pregnant girls, young mothers and married girls under 18 years of age to remain in or return to school without delay and ensure that such policies are disseminated to all educational establishments and administrators, as well as among parents and communities;

(h) Address practices that may hinder access to education, such as involving girls in unpaid labour in the home;

(i) Ensure that all children, in particular girls, under the minimum age of employment are in school full time, including, where appropriate and consistent with the relevant international labour standards, in vocational or technical school.

## VIII. Rights within education

56. Girls' and women's rights within education relate to the governmental obligation to make education acceptable.<sup>11</sup> Acceptability addresses issues of the form (content) and substance (quality) of education, which apply to the school setting, as well as educational content and method. The realization of rights within education requires the government's provision of funds, the necessary infrastructure, support and supplies for students and teachers. It also requires that girls be ensured equal access to the same quality of education as boys, in terms of the quality of teachers and amenities, and an environment characterized by girls and women having opportunities to pursue goals towards their self-determination and self-actualization. Rights within education, therefore, encompass respect for and promotion of the human rights of girls and women throughout the education cycle.

57. The lack of respect and dignity that girls and women experience in educational institutions, depending upon the gender regime of the school, is a reflection of the wider social order. An environment lacking respect and dignity for girls and women is often marked by entrenched patriarchal ideologies, practices and structures that shape the daily experience of teachers and students. As a result of girls being exposed to such an environment, which can be one of physical, emotional and sexual abuse, for as many as 10 years or more, they are denied their rights within the education arena. Various issues need to be addressed to ensure that girls and women, including the staff of educational institutions, can enjoy equality of treatment and opportunity.

### **Stratification of schools and knowledge (articles 10 (a) and (b))**

58. In general, education systems are highly differentiated in the ways by which students are sorted, in particular at the point of transition from the primary and secondary levels, into schools and/or streams that stress either vocational or academic training. In some systems, once students are placed, movement between vocational or academic training is challenging. Socioeconomic status strongly influences student placement into the different types of schools. Students of high economic status are more likely to attend academically oriented schools offering high-status knowledge

<sup>11</sup> See para. 14 above.

that provides a direct pathway to tertiary education. Highly differentiated education systems therefore maintain socioeconomic inequalities from quite early in the lifecycle and well before students complete their education and enter the labour force.

59. In such a differentiated education system there are also marked differences in the material resources allocated to schools to support delivery of the curricula. Schools in communities of lower socioeconomic status are generally more poorly endowed both in terms of material resources and teacher quality compared with those of higher socioeconomic status, with students in the latter better positioned to benefit from parental subsidies to offset insufficient public funding.

60. Between and within school types, students are also differentiated on the basis of perceptions of appropriate subject options for each sex. In academic schools, girls are often clustered in programmes in the humanities and underrepresented in science, technology, engineering and mathematics, while, in vocational schools, women and girls predominate in areas such as food and nutrition, cosmetology and clerical studies. The stratification of students and knowledge ultimately leads to girls being propelled into what are socially regarded as low-status occupations. Such stratification has the potential for further reinforcement in single-sex schools, where often the only subjects deemed suitable for the particular sex are offered. As a result, a school for girls would not offer instruction in woodworking, or building and construction. Facilitating the realization of the right of girls and women to the same quality education as that offered to boys and men entails providing for the full range of academic and vocational subjects in schools and not reinforcing segregation of the curricula by sex.

61. A critical technical and vocational area in which girls and women are underrepresented is in information and communications technology. Sixty per cent of people in the world, most of them girls and women, are denied the right of access to the transformative power of the Internet. To overcome the digital divide between men and women in the use of new technologies and to provide women with equal access to information and employment opportunities in those industries, schools need to address the barriers that result in their exclusion.

62. Article 10 (g) of the Convention provides that States parties are to ensure that girls and women have the same opportunities as boys and men to actively participate in sports and physical education. However, on the basis of prevailing stereotypes, positive outcomes for the empowerment of women and gender equality in that sphere are constrained by discrimination in all areas of sports and physical activity. Sex segregation persists, and the participation of women in decision-making is limited at both the national and international levels. In addition, the value placed on women's sports is often lower, resulting in the inadequate allocation of resources to support their participation, as well as the lower remuneration of women athletes. Media representations of women in sports also influence prevailing stereotypes. Violence against women, exploitation and harassment in sports also reflect traditional male domination in the sporting arena.

**63. The Committee recommends that States parties take the following actions to ensure that education systems allow for equal opportunities for both sexes and for free choice of courses of study and of careers:**

(a) **Reform and standardize, as necessary, the education system to ensure the equitable distribution of all educational resources in all schools regardless of the location or population served;**

(b) **Eliminate ideological and structural barriers in co-educational schools, in particular at the secondary level, including such barriers as school timetables that are arranged so that only subjects segregated by sex are offered**

in a given time slot, which obliges students to take the sex-segregated class and precludes interaction and discussion between girls and boys on those subjects, and teacher attitudes that prevent girls from making free choices in terms of subject choice and course options;

(c) Equip teacher trainees and teachers to provide career counselling for students and parents to address and modify the entrenched perceptions of which subjects and careers are appropriate for each sex;

(d) Institute measures to increase the participation of women and girls in science, technology, engineering and mathematics programmes, at all levels of education, by providing such special incentives as scholarships and adopting temporary special measures, in line with article 4 of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures;

(e) Ensure that, in single-sex schools, the full range of subjects, in particular in the technical and vocational areas, are offered so that girls have the opportunity to participate in male-dominated areas, and vice versa, to allow for wider career options;

(f) Develop national information and communications technology plans or strategies with specific targets for achieving gender equity in access to information and communications technologies in schools and tertiary-level institutions, backed by specific programmes that can be implemented in schools and with a budget necessary for their delivery and the gathering of timely data disaggregated by sex for the monitoring of the achievement of targets;

(g) Institute clear legislative and policy measures to ensure that, when girls and women participate in male-dominated disciplines and activities in educational institutions, they are protected from sexual harassment and violence;

(h) Provide equal opportunities in educational institutions for girls and women to freely choose areas of physical activity and sport in which they wish to engage and to enjoy the health and psychological benefits that accrue from such engagement;

(i) Address traditional stereotypes and provide facilities that allow for the participation of girls and women in male-dominated physical activities and sports in both co-educational and female single-sex educational institutions;

(j) Institute positive actions, preferential treatment or quota systems, in the areas of sport, culture and recreation, in line with general recommendation No. 25 and, where necessary, direct such measures at girls and women who are subjected to multiple forms of discrimination, including rural women, in accordance with general recommendation No. 34 (2016) on the rights of rural women.

### **Gender inequality, abuse and sexual violence in schools**

64. Gender inequality in education includes differential treatment whereby one sex is favoured or given preferential access to rewards by the school system, in terms of attention, grades, opportunities and praise, and more lenient punishment for misbehaviour. Gender inequality is also manifested in unequal access to non-material status and power in teacher-student interactions. In educational settings, the way girls experience such inequality is influenced by several attributes, including their sex, socioeconomic status, race or ethnicity or belonging to a minority group, appearance and language patterns.

65. Another area in which girls and women are adversely affected is in the sexual politics associated with their participation in education. Sexual politics in schools refers to gender relations marked by unwarranted sexual overtones, such as the sexual harassment of girls in schools or on the way to and from school. They may be confronted with sexual harassment and abuse perpetrated by students, teachers and community members, as well as biased treatment in school. Sexual assault and other forms of gender-based violence in schools significantly contribute to low self-esteem, poor educational achievement and have adverse long-term effects on health and well-being. As a result of violence, girls are kept out of school, drop out of school or do not fully participate in school. Violence often begins with verbal insults and threatening gestures which, when not challenged by those in authority, are followed by violent acts.

66. Disadvantaged groups of girls are at an increased risk of violence at school because of the multiple forms of discrimination that they face, in particular on the basis of their HIV status, caste, ethnicity, race and religion, which increase the risk of abuse and influence the nature of the violence experienced. Girls with disabilities face discrimination on the basis of both their gender and disability, while lesbian, bisexual, transgender, and intersex children experience both sexism and homophobia.

67. In spite of the rampant sexual harassment and abuse of girls in educational institutions, and that they constitute a key barrier to their right to and within education, those facts have not been systematically factored into educational policy and programmes. In many instances there is no strict accountability mechanism and, in schools, the matter is ignored or responded to by victim-blaming, with impunity for perpetrators.

68. The sexual abuse of girls may result in unwanted pregnancies, and there is therefore a need to alert girls, in particular during adolescence to that problem and its consequences. An important response to the magnitude of the problem in the home, school and community is instituting mandatory, age-appropriate curricula, at all levels of education, on comprehensive sexuality education, including on sexual and reproductive health and rights, responsible sexual behaviour, prevention of early pregnancy and prevention of sexually transmitted infections, in line with articles 10 (h) and 12 of the Convention, the Committee's general recommendation No. 24 (1999) on women and health and general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19. Teachers should be specifically trained for the various levels of age-appropriate delivery. In situations where the teaching staff is predominantly male, such as at the secondary school level, efforts should be made to recruit, train and hire female teachers who can serve as role models and make classrooms safer and more enabling places for girls and young women.

**69. The Committee recommends that States parties take the following measures to curtail violence against girls and women associated with educational institutions and schooling, thereby protecting their right to be treated with respect and dignity:**

**(a) Enact and enforce appropriate laws, policies and procedures to prohibit and tackle violence against girls and women in and around educational institutions, including verbal and emotional abuse, stalking, sexual harassment and sexual violence, physical violence and exploitation;**

**(b) Recruit, train and hire more female teachers in educational institutions where the school faculty is predominantly male;**

**(c) Ensure that girls and women affected by violence in schools have effective access to justice and remedy;**

(d) Respond to cases of violence against girls and women in educational institutions through confidential and independent reporting mechanisms, effective investigations, criminal prosecutions where appropriate and the adequate punishment of perpetrators and by providing services for victims/survivors;

(e) Ensure that all incidents of violence against girls and women in educational institutions are reported and recorded, check the criminal records of school personnel prior to their employment and develop and enforce codes of conduct for all school staff and students;

(f) Adopt national plans of action to address school-related violence against girls, including guidelines for schools and compulsory training for teachers and students in early intervention strategies to address sexual harassment and violence against girls;

(g) Designate a government mechanism for preventing and investigating incidents of violence in educational institutions and provide adequate public funding to address the problem;

(h) Provide support services for girls who experience violence, including counselling, medical treatment, HIV/AIDS information and medication;

(i) Develop and introduce age-appropriate, evidence-based, scientifically accurate mandatory curricula at all levels of education, covering comprehensive information on sexual and reproductive health and rights, responsible sexual behaviour, prevention of early pregnancy and sexually transmitted infections.

### **Cyberbullying**

70. Another form of abuse that girls experience is cyberbullying, by which information and communications technologies and various social media platforms are the means through which perpetrators intimidate, threaten or harass them. While both boys and girls are involved in cyberbullying, research shows that girls, in particular adolescent girls, are almost twice as likely as boys to be both victims and perpetrators. Online victimization of adolescent girls takes many forms, including name-calling, rumours, threats, disclosure of confidential information, images and videos, revenge porn, sexual harassment and sexual advances, often from strangers.

71. Cyberbullying has a wide variety of effects on adolescent girls, including mild or extreme emotional effects, feelings of being unsafe and frightened and, in some instances, suicidal ideation or suicide.

72. **The Committee recommends that, although cyberbullying is not always rooted in the school environment, States parties take the following measures in schools to protect girls:**

(a) Alert parents to the spread of the phenomenon of cyberbullying and the impacts that it can have on girls;

(b) Develop comprehensive programmes that inform teachers, students and parents about the forms that cyberbullying can take and the potential impacts, and provide counselling and support for students who are victims of cyberbullying;

(c) Put into place policies that ensure that the technologies available in schools are not used for the purpose of cyberbullying and monitor their implementation;

(d) **Establish multiple and readily accessible channels that students can use to report such incidents by establishing peer and teacher counselling services, safe locations in schools and hotlines for anonymous reporting;**

(e) **Inform girls of the consequences of engaging in cyberbullying to victims' health and well-being, as well as the sanctions that may be applied to perpetrators;**

(f) **Enact legislation that defines and penalizes harassment through use of information and communications technologies and the online harassment of women and girls in all its forms.**

#### **Equitable female participation in management structures**

73. The gender regime evident in educational institutions has negative impacts on female staff, in particular staff in systems of secondary and tertiary education. Those impacts are most evident in terms of their limited upward mobility in the profession and their rate of transition to decision-making positions. Although teaching is considered to be a feminized profession, there is a disproportionately low representation of women in senior and top management positions at all levels of education, worldwide.

74. Several factors account for the underrepresentation of women in leadership and decision-making positions at all levels of education. They include limited access to education, especially opportunities for pursuing higher educational certification for those teaching at the lower levels, discriminatory appointment and promotion practices, family attitudes, career interruptions, cultural stereotyping, alienation from the male culture of networking and patronage, and continued resistance to including women in management positions.<sup>12</sup>

**75. The Committee recommends that States parties institute the following measures to close the gender gap in leadership positions at all levels of education to ensure the elimination of the discrimination women face in that regard:**

(a) **Increase the professional mobility of women in institutions of higher learning by providing grants and/or scholarships to enable them to acquire advanced postgraduate degrees and introduce incentives and schemes to retain them;**

(b) **Strengthen efforts to increase the number of women in leadership positions at all levels of education, especially university professors in all fields, through the use of measures, including temporary special measures in accordance with article 4 (1) of the Convention and general recommendation No. 25;**

(c) **Review appointment and promotion procedures and remove any discriminatory provisions, which act as barriers to the equal participation of women in leadership positions in educational institutions, and address discriminatory practices in appointments and promotions;**

(d) **Address prevailing organizational cultures that are unfavourable to the upward mobility of women in the teaching profession;**

<sup>12</sup> See UNESCO document, ED.99/HEP/WCHE/Vol. IV-12, *Proceedings of the World Conference on Higher Education in the Twenty-first Century: Vision and Action (Paris 5–9 October 1998, vol. IV*. Available from [http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=117320&set=005A51B380\\_3\\_203&gp=1&lin=1&ll=1](http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=117320&set=005A51B380_3_203&gp=1&lin=1&ll=1).

(e) **Establish targets, within a given timeline, to ensure parity in positions in higher education, including senior positions, professorships chancellorships and vice-chancellorships in universities;**

(f) **Establish policies and quotas for the equal representation of women in governing bodies in higher education, such as senates and councils, and in research bodies.**

## **IX. Rights through education**

76. Since 1985, several United Nations international conferences have focused on human rights, women, social issues and sustainable development and have identified numerous actions to promote gender equality and the empowerment of women. Many of the conferences emphasized education as the means for achieving those goals and for improving the position of women in society. Education equips individuals with the skills to be adaptable to the needs of changing societies and therefore has a multiplier effect in enabling women to claim rights in all spheres, beyond the school. However, women's rights through education are far from being realized.

77. In spite of regional disparities, global data indicate that more women than men have higher educational certifications and thus are the more highly qualified source of human capital. However, men with lower levels of certification are favoured for certain jobs and positions over women with higher levels of certification, contributing to the universal phenomenon of horizontal and vertical sex-segregation of labour markets. Certification therefore does not carry the same social currency for women and men. Even where both sexes have equal levels of education, men are often given preferential treatment in employment.<sup>13</sup>

78. Such systemic patterns become entrenched, in particular in the labour market, which operates on the basis of the "man as breadwinner" ideology, resulting in men occupying dominant positions in wage labour. As a result, in most societies, women experience lower levels of employment and higher levels of unemployment and of poverty, are more highly represented as part-time workers, earn less than men, on average, are disproportionately represented in vulnerable areas of work, and have less opportunities for decent working conditions. Women are underrepresented in decision-making positions at all levels of social and political institutions and lack real personal autonomy. Although increased access to education has improved the condition of women's lives and that of their children, the potential for education, as it presently exists, to shift the overall balance of power in the economic, political and social spheres and to make a strategic difference in terms of the empowerment of women, has not been achieved, owing to cultural beliefs and practices that reproduce entrenched gendered ideologies, structures and systems.

79. That consistent pattern is linked to gender socialization processes that reproduce and maintain a sexual division of labour, which defines what is feminine and masculine and is in turn linked to a public/private dichotomy, a system in which males dominate the public sphere and females the private sphere. The result is that, rather than being transformative, institutionalized schooling becomes an instrument of the State for reproducing the gender order and maintaining the male/female, dominant/subordinate and public/private hierarchies.<sup>14</sup>

<sup>13</sup> See the statement by former Committee member Barbara Bailey to the high-level round table held on the margins of the fifty-fifth session of the Commission on the Status of Women. Available from [www.un.org/womenwatch/daw/csw/csw55/panels/HLRTA-Bailey-Barbara.pdf](http://www.un.org/womenwatch/daw/csw/csw55/panels/HLRTA-Bailey-Barbara.pdf).

<sup>14</sup> Ibid.

80. The trend continues in the level of participation of women in political processes and decision-making, where, because women remain poorly represented, they cannot effectively influence policy that affects them. In 2017, the proportion of women holding elected or nominated government positions worldwide was approximately 1:4, compared with men. In the lower houses of parliaments, women hold 23.4 per cent of representative posts and in the upper houses, 22.9 per cent. The same trend is evident in the representation of women as members and chairs of public and private sector boards. Women continue to be largely marginalized in the political sphere and in boardrooms as a result of discriminatory laws, practices, attitudes and gender stereotypes.

**81. The Committee recommends that States parties pursue the following measures to achieve the equal participation of women in social, economic and political processes, as well as in decision-making positions in all sectors:**

(a) **Train teachers to adopt constructivist teaching strategies that equip girls and women with critical thinking skills and a sense of positive self-worth and confidence to participate equally with men in high-level and decision-making positions in the social, economic and political spheres;**

(b) **Adapt the options and content of girl's and women's education, in particular at the higher levels to increase their participation in scientific, technical and managerial courses of study, and thereby their qualifications, in order to ensure access to high-level jobs and decision-making positions, in particular in male-dominated professions and jobs;**

(c) **Strengthen civic and citizenship education in schools and gender-responsive continuing adult literacy programmes aimed at enhancing the roles of women and their participation in the family and society;**

(d) **Recognize the importance of empowering all women through education and training in government, public policy, economics, information and communications technology and science to ensure that they develop the knowledge and skills needed to make full contributions in all spheres of public life;**

(e) **Protect the right of women to decent work by challenging the entrenched horizontal segregation of labour markets where men are privileged and predominantly positioned in high-status occupational sectors on the basis of patronage rather than merit;**

(f) **Improve and broaden women's access to information and communications technologies, including e-government tools, in order to enable political participation and to promote engagement in broader democratic processes, while also improving the responsiveness of such technologies to the needs of women, including those of marginalized women;**

(g) **Develop appropriate tools, skills and training programmes, in consultation with women, to equip and empower them to participate in leadership positions and to assume responsibilities in public life;**

(h) **Take all appropriate measures to eliminate the prejudices and gender stereotypes that constitute barriers to women's access to and full participation in the social, economic and political spheres.**

## **X. State responsibility: implementation and monitoring**

82. Information in the preceding sections of the present general recommendation indicates that, although there have been some gains towards the realization of the right of girls and women to education, their rights in all three domains — to, within and through — remain not fully realized. The recommendations contained herein identify benchmarks for the adoption and reform of policy and legislative frameworks and the financial and human resources required to provide for and protect the rights of girls and women in those three domains. If education is ultimately to be the vehicle for the personal, social, economic and political empowerment of women and the tool for equipping them to seize opportunities to make a direct contribution to national and regional development processes, then attention to those actions is not optional but obligatory. Transformation of systems and structures can only be realized, however, where there is political will. States parties need to commit to fulfil their internationally binding obligations under agreements such as the Convention, as supported by the general recommendations of the Committee, in particular general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention.

**83. The Committee urges States parties to take the following actions to ensure the timely implementation and monitoring of the recommendations contained in the present general recommendation to protect the right of girls and women of access to education and their rights within and through education, which elaborate upon article 10 of the Convention and are linked to other articles of the Convention and other general recommendations of the Committee:**

(a) **Ensure the wide dissemination of the general recommendation to all stakeholders, including all government officials engaged in the education sector and supporting sectors, educators at all levels of the education system, students, parents, the media and the relevant national and community organizations;**

(b) **As necessary, translate the document into the national languages and into those used by the ethnic minority groups in States parties;**

(c) **Establish a national multisectoral task force with representation from the major government sectors involved in the delivery of education and educational services and the major non-governmental stakeholders engaged in education to develop a comprehensive implementation and monitoring strategy with clear timelines, benchmarks for measuring the achievement of outcomes and individuals assigned to provide oversight to specific dimensions of the strategy;**

(d) **Ensure that adequate quantitative and qualitative datasets are available and accessible to inform monitoring of outcomes and maximize outcomes by harmonizing implementation of the present general recommendation with requirements under other international, regional and national instruments that address the rights of girls and women to, within and through education, which are consistent with the present instrument.**