



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

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**Committee on the Elimination of Discrimination
against Women**

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Item 6 of the provisional agenda*

Implementation of articles 21 and 22 of the Convention

**Reports by specialized agencies on the implementation
of the Convention in areas falling within the scope of
their activities**

**Report of the United Nations Educational, Scientific and
Cultural Organization****

Summary

In accordance with article 22 of the Convention on the Elimination of All Forms of Discrimination against Women, the specialized agencies of the United Nations system have been invited to submit to the Committee on the Elimination of Discrimination against Women, at its eighty-second session, reports on the implementation of the Convention in areas falling within the scope of their activities.

* CEDAW/C/82/1.

** The present report was submitted late owing to delayed inputs from other sources.



I. Introduction

1. The right to education lies at the heart of the mission of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Entrusted to lead implementation of the 4-Education 2030 agenda, UNESCO programmes contribute to the achievement of the Sustainable Development Goals set out in the 2030 Agenda for Sustainable Development.

2. UNESCO provides global and regional leadership in education, supports its member States worldwide in strengthening their education systems and responds to contemporary global challenges through education, with gender equality as an underlying goal and principle. Its work on education and gender equality is guided by the UNESCO strategy for gender equality in and through education 2019–2025. The strategy is focused on system-wide transformation to benefit all learners and targeted interventions to support the empowerment of girls and women. It is aimed at achieving the UNESCO vision of enabling girls and boys, women and men and all learners to realize their rights and potential in and through education.

3. The right to education is enshrined in international law through numerous legally binding international treaties. The right to education of girls and women is a high priority for UNESCO, with the Organization promoting gender equality in participation in, within and through education. In order to achieve this, UNESCO provides technical support to its member States to align constitutional, legislative and policy frameworks with international normative instruments and supports the development and implementation of gender-transformative strategies that address key barriers to the full participation of girls and women in quality educational opportunities.

4. UNESCO also measures the status of national constitutions, legislation and regulations related to girls' and women's education rights across the world through Her Atlas, an interactive online tool that constituted a valuable resource in compiling the present report. The UNESCO initiative "Her education, our future" – to which Her Atlas contributes – is designed to accelerate action on girls' and women's education by leveraging political and financial commitments, and leadership. From a more general perspective, the Observatory on the Right to Education monitoring tool, which sheds lights on inequalities in countries by publishing data on implementation of the right to education at the national level, has also provided useful documentation for the present report.

5. To ensure, monitor and advocate the right to education without discrimination, UNESCO regularly monitors the implementation of the Convention and Recommendation against Discrimination in Education through periodic consultations, requesting member States to submit national reports on the measures taken to implement the Convention and Recommendation. In order to follow up effectively on the information obtained, an analytical report synthesizing the findings of the national reports is then prepared. In 2020, the tenth consultation on the implementation of the Convention and Recommendation was launched, resulting in a collection of 82 national reports. The information contained in the national reports has served as a source for the elaboration of the report titled "From rights to country level action: results of the tenth consultation of member States on the 1960 Convention and Recommendation".

6. UNESCO has a major role and responsibility within the United Nations system for the implementation of a number of the provisions contained in the Convention on the Elimination of All Forms of Discrimination against Women, in particular article 10, which provides that States parties "shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education".

II. Measures taken by countries

Azerbaijan

7. Azerbaijan has not ratified the Convention against Discrimination in Education. The country is strongly encouraged to ratify the Convention.

8. The Constitution of Azerbaijan enshrines the right to education for all citizens (art. 42) and proscribes discrimination (art. 25.III).

9. It is stated in the Law on General Education of 2019 that general education (primary and secondary education), which corresponds to 11 years, is compulsory (art. 5.4), starting at age six, and free. However, in accordance with the Education 2030 Framework for Action, at least 12 years of free primary and secondary education and at least 1 year of free and compulsory pre-primary education are required.

10. According to the Family Code of the Azerbaijan Republic of 1999, the legal age of marriage for men and women is 18 years (art. 10). However, the minimum age of marriage can be reduced by one year with permission from the executive authority of the territory at the place of residence. The only exception should be accorded by a judge. Child marriage is not only a discriminatory practice, but also can also have detrimental effects on the right of children to education.

11. According to the most recent UIS data available, completion rates decline as the level of education increases. In 2020, 98.6 per cent of females completed primary education, 94.6 per cent in lower secondary education and 90.4 per cent in upper secondary education.

12. With regard to government expenditure, which should be from 4 to 6 per cent of gross domestic product (GDP), as recommended under the Education 2030 Framework for Action, it was 2.68 per cent (UIS data) in 2018.

13. Azerbaijan submitted its national report on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021).

Bolivia (Plurinational State of)

14. The Plurinational State of Bolivia ratified the Convention against Discrimination in Education on 17 August 2017.

15. The Constitution of the Plurinational State of Bolivia enshrines the right to receive education (art. 17) and proscribes discrimination based on, among others, sex, sexual orientation and gender identity.

16. Under the Education Law (No. 070 of 2010), 12 years of free and compulsory primary and secondary education is guaranteed. Under the same law, two years of free and compulsory pre-primary education are set out. These guarantees align with the Education 2030 Framework for Action.

17. While the Family Code sets the minimum age of marriage in the Plurinational State of Bolivia at 18 years (the age of majority), exceptions are permissible at 16 years of age with the permission of a parent or legal guardian (art. 139 of Law No. 603 of 2014). Child marriage is a discriminatory practice, and only a judge should allow the lowering of the minimum age of marriage, given that this can be detrimental to the realization of the right to education.

18. The minimum age of employment is not very clear. The General Labour Law of 1942 sets the minimum age at 14, while under the Code on Girls, Boys and Adolescents (Law No. 548 of 2014) employment from 12 years of age is permitted

where it does not have an impact on education or development (art. 129). It is reported that the exceptional minimum age of 10 years found in the same law was ruled unconstitutional by the Plurinational Constitutional Tribunal in 2017; however, UNESCO has been unable to gain access to an updated version of this law. Furthermore, because the end of compulsory education is 18 years of age it is not aligned with the minimum age of employment, which could lead to children dropping out of school to go work.

19. According to the Code on Girls, Boys and Adolescents, discrimination based on pregnancy in the education system is considered a form of violence, and there is a variety of measures listed that are intended to prevent, stop and eliminate violence, aggression and/or harassment in educational units or centres.

20. According to the most recent UIS data available, completion rates decline as the level of education increases. In 2020, 98.6 per cent of females completed primary education, 92.7 per cent in lower secondary education and only 68.8 per cent in upper secondary education.

21. The Plurinational State of Bolivia did not submit its national report on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021). The country is encouraged to participate more systematically.

Mongolia

22. Mongolia ratified the Convention against Discrimination in Education on 4 November 1964.

23. Under the Constitution of Mongolia, the right to education for citizens (art. 16) is guaranteed and discrimination is prohibited (art. 14).

24. According to the Law of Mongolia on Education of 2002, as amended in 2019, while education is free and compulsory for a duration of 12 years, no legal provision has been identified that specifies the age that this period begins or ends, nor the levels of education. With regard to pre-primary education, while it is considered part of the education system and therefore free under the Law on Education, this is not explicitly stated, nor is the duration. Furthermore, pursuant to the Law on Preschool Education (2008), parents and guardians have a duty to take charge of certain expenses. However, the same law does create a duty of the parent to ensure compulsory enrolment of children in preschool age, but no duration is specified. In line with the Education 2030 Framework for Action at least one year of pre-primary education should be made compulsory.

25. The Family Law of 1999 sets the minimum age of marriage in Mongolia at 18 for men and women.

26. According to the national report submitted by Mongolia on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021), the country has a secondary education plan that is intended to “increase the parent and public involvement in creating a safer educational environment for girls and women alike”. It is also stated in the report that there are regulations on preventing female students from receiving external harassment in an educational environment and dormitories, as well as ethics curricula in the secondary education system that emphasize the enhancement of gender equality and a policy on the empowerment of girls.

27. Government expenditure on education as percentage of GDP is 4.94 per cent, which conforms to the requirements pursuant to the Education 2030 Framework for Action.

Morocco

28. Morocco ratified the Convention against Discrimination in Education on 30 August 1968.

29. The Constitution enshrines the right to education for all and contains a provision on equal rights and freedoms for men and women (art. 19).

30. The Framework Act No. 51–17 on the system of education, training and scientific research, passed in 2019, provides that primary and lower secondary education is compulsory from 6 to 16 years of age. However, the State has six years to implement this obligation. Free primary and secondary (lower secondary and upper secondary leading to a qualification) education is guaranteed. The law also provides that pre-primary education be compulsory and free between four and six years of age.

31. Child marriage is a discriminatory practice that places the educational development of girls, in particular, at risk, violating their right to education by increasing the likelihood of dropping out. Although the legal age of marriage in Morocco is set at 18 for both girls and boys, this age may be lowered by a judge, without any absolute minimum age being fixed.

32. According to the national report submitted by Morocco on the measures taken to implement the Convention and Recommendation against Discrimination in Education for the tenth consultation (2020–2021), the country is adopting a strategy for the reform of education, training and scientific research by 2030. One of its fundamental tenets is “equity and equal opportunities”, including efforts to improve access and studies in higher education to achieve the objective of equity, equal opportunity and sustainable learning.

Namibia

33. Namibia has not ratified the Convention against Discrimination in Education. The country is strongly encouraged to ratify the Convention.

34. The Constitution enshrines the right to education for all (art. 20). There is a non-discrimination provision that prohibits discrimination on the grounds of sex (art. 10) and a provision that permits affirmative action to encourage equality between men and women (art. 23).

35. Primary education is compulsory and free for seven years or until 16 years of age, whichever happens first. However, States committed themselves in the Education 2030 Framework for Action to guaranteeing at least 12 years of free primary and secondary education, of which a minimum of 9 is compulsory.

36. Child marriage is a discriminatory practice that places the educational development of girls, in particular, at risk, violating their right to education by increasing the likelihood of dropping out. While the minimum age of marriage is 18 for boys and girls, exceptions are permitted with the written permission of the relevant government minister or any staff member in the public service authorized thereto by the minister, with no absolute minimum age stipulated.

37. Public expenditure on education expressed as a percentage of GDP was 9.41 per cent in 2020 according to national estimates, which is above the 4 to 6 per cent set out in the Education 2030 Framework for Action.

Portugal

38. Portugal ratified the Convention against Discrimination in Education on 8 January 1981.

39. The right to education is enshrined in the Constitution of Portugal (arts. 73 and 74), which contains a provision on equality and non-discrimination based on sex (art. 13).
40. It is established under Law No. 85/2009 that education is compulsory and free from the ages of 6 to 18, for a duration of 12 years, which is in line with the Education 2030 Framework for Action. Free pre-primary education, of a duration of two years, is also established under the law. However, pre-primary education is not compulsory.
41. The Civil Code (No. 47344/66) provides that the minimum age for marriage is 18; however, minors can be married at the age of 16 with parental consent.
42. In line with the students and school ethics statute, absences given for attendance at antenatal consultations, delivery and breastfeeding are considered justified.
43. Public expenditure on education expressed as a percentage of GDP was 4.68 per cent in 2018 according to UIS data, which is in line with the 4 to 6 per cent set out in the Education 2030 Framework for Action.
44. According to the national report submitted by Portugal on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021), the country adopted a national plan for young people (2018–2021), which includes a goal of empowering teachers and non-teaching staff on equality between women and men in contexts of formal and non-formal education, when working with young people.

Turkey

45. Turkey has not ratified the Convention against Discrimination in Education. The country is strongly encouraged to ratify the Convention.
46. In accordance with the Constitution of Turkey of 1982, as amended in 2017, the right to education is enshrined and there is a provision on equality without distinction as to sex. It is stated in article 10 that “Everyone is equal before the law without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds. Men and women have equal rights”. Under article 42, “No one shall be deprived of the right of education”.
47. According to the Constitution of Turkey and the legal framework of Turkey, education is compulsory for 12 years, including primary and secondary education, for children from six years of age. However, even if eight years of primary and lower secondary education are free, no legal disposition has been identified to guarantee free upper secondary education. By comparison, pursuant to the Education 2030 Framework for Action, at least 12 years of free primary and secondary education are guaranteed, of which a minimum of 9 years are compulsory. Preschool is not compulsory, while up to 36 months of free preschool education are guaranteed under the legal framework of Turkey (even if it also provides the possibility to charge some fees). The Education 2030 Framework for Action’s minimal requirement is one year of free and compulsory pre-primary education.
48. The Civil Code sets the minimum age of marriage at 18, but children can marry at the age of 17 with the consent of their parents or legal guardians. Children can also marry at the age of 16 with special permission from the courts “under exceptional circumstances and on vital grounds”. This conforms to international obligations.
49. According to the Labour Act, the minimum age of employment in Turkey is 15. It should be increased to the age of 18 to align with the end of compulsory education in Turkey, given that the difference in the years could lead to children dropping out of school in order to work.

50. According to the Malala Fund for Girls' Right to Education, almost 40 per cent of Syrian refugee children living in Turkey are out of school, and only 32 per cent reach the secondary level. Refugee girls continue to face significant barriers to education.

51. Turkey submitted its national report on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021).

United Arab Emirates

52. The United Arab Emirates has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify the Convention.

53. The right to education is not enshrined under the Constitution of the United Arab Emirates of 1996; its article 17 provides only that "Education shall be a fundamental factor for the progress of society. It shall be compulsory in its primary stage and free of charge at all stages within the Union. The law shall prescribe the necessary plans for the propagation and spread of education at various levels and for the eradication of illiteracy". The Constitution contains a non-discrimination provision but does not prohibit discrimination on the basis of gender or sex. Indeed, it is stated in article 25 only that "All persons are equal before the law, without distinction between citizens of the Union in regard to race, nationality, religious belief or social status".

54. In line with the legal framework of the United Arab Emirates, basic education is compulsory for nine years, which covers primary and lower secondary education and begins at the age of six. In addition, it is stressed under the legal framework that all stages of education are free, which includes all 12 years of primary and secondary education. Therefore, the minimum requirements of the Education 2030 Framework for Action are met regarding the number of compulsory (at least 9) and free (at least 12) years of primary and secondary education provided. The Constitution of 1996 and the Federal Law on Compulsory Education of 1972 guarantee that pre-primary education, which begins at four years of age and lasts for two years, is free (as all levels of education) but not compulsory. However, the Education 2030 Framework for Action's minimal requirement is one year of free and compulsory pre-primary education.

55. The Federal Law on Personal Status sets the minimum age of marriage at 18 for both sexes, but judicial exceptions permit marriage below this age.

56. Corporal and psychological punishment in public education institutions is prohibited in line with the legislation. While it is required under the Law on Child Rights that the State take measures to ban all forms of violence in educational institutions, it is unclear what it entails, given that the law limits its protection to acts that exceed the limits of the sharia and the law.

57. The United Arab Emirates does not submit national reports on the implementation of the Convention and Recommendation against Discrimination in Education. The country should be encouraged to participate systematically.