



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

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## Committee on the Elimination of Discrimination against Women

Eighty-third session

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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/83/1.

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



## I. Introduction

1. The programmes of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which was entrusted to lead the implementation of the Education 2030 Agenda, contribute to the achievement of the Sustainable Development Goals by providing global and regional leadership in education, supporting its member States to strengthen their education systems and responding to contemporary global challenges through education – with gender equality as an underlying goal and principle.

2. The right to education lies at the heart of the mission of UNESCO, and 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 vision of UNESCO to enable girls, boys, women, men and all learners to realize their rights and potential in and through education.

3. The right to education is enshrined in international human rights 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 that goal, UNESCO provides technical support to its member States to specifically align constitutional, legislative and policy frameworks with international normative instruments and commitments and supports the development and implementation of gender-transformative strategies that tackle key barriers to the full participation of girls and women in educational opportunities.

4. In addition, UNESCO measures the status of national constitutions, legislation and regulations related to the education rights of girls and women across the world through the Interactive Atlas of Girls' and Women's Right to Education (Her Atlas) – an online tool that constituted a valuable resource in compiling the present report. The UNESCO initiative entitled “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 light on inequalities in countries by publishing data on the implementation of the right to education at the national level, 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, in which it requests member States to submit national reports on the implementation measures that they have taken. 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 served as a source for the preparation of the report entitled *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 in its article 10, which provides that States parties should 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 and areas

### For the eighty-third session

#### Armenia

7. Armenia ratified the Convention against Discrimination in Education on 5 September 1993.

8. The Constitution of Armenia enshrines the right to education in its article 38 (1), which provides that “everyone shall have the right to education”. Under articles 29 and 30, all discrimination is proscribed, and equality between men and women is ensured.

9. Law No. HO-297 of 1999, on education, guarantees the right to education in its article 6 and provides that “the State shall ensure for the citizens of the Republic of Armenia free general secondary education”, which, according to article 18 (3), covers elementary school, middle school and high school, for a total duration of 12 years. Law No. HO-20-N of 2015, amending and supplementing Law No. HO-297, makes education compulsory for 12 years or until the student is 19 years old (art. 1). No legal provision has been identified that guarantees free or compulsory pre-primary education.

10. Law No. HO-123-N of 2004, promulgating the Family Code, as amended in 2013, sets the minimum age of marriage for girls and boys at 18. However, marriage at 17 is permitted with parental or guardian consent or at 16 with parental or guardian consent and if the other person is at least 18 years old, according to article 10 (1), which reads: “Marriage shall require the voluntary consent of the married man and woman and their marital status at the age of 18, except as provided in the second paragraph of this Part. A person may also marry at the age of 17 if his or her parents, adoptive parents or guardian agree. A person may also marry at the age of 16, provided that his or her parents, adoptive parents or guardian agree and the other person is at least 18 years old.”

11. Law No. HO-59 of 1996, on children’s rights, prohibits violence against children in its article 9, which provides that “each child has a right to be protected from any type of (physical, spiritual, etc.) violence. Any person, including the parents and the legal representatives of the child are forbidden to exercise any violence against the child or any punishment humiliating its dignity, or other similar attitude”. In addition, it is stated in article 49 (2) of Law No. HO-297, on education, that the “application of methods of physical or psychological pressure in respect of learners shall be prohibited”, and in article 20 (1) of Law No. HO-160-N of 2009, on general education, that “learners shall have equal rights and responsibilities at educational institutions. Those rights and responsibilities shall be defined by law and the Statute of the educational institution ... A learner shall have the right to ... be protected from any physical and psychological pressure, exploitation, actions or inaction of pedagogical and other workers, that violate the rights of the learner and infringe upon their honour and dignity”. Corporal punishment in education institutions is not explicitly prohibited. No legal provision has been identified relating to the right to education of pregnant and parenting girls.

12. According to article 19 of Law No. HO-59 and to articles 15 and 17 of Law HO-124-N of 2004, promulgating the Labour Code, the minimum age of employment is 16, or 14 with the consent of a legal guardian. However, as the age at which compulsory education ends is 18, the ages are not aligned.

13. According to data from the UNESCO Institute for Statistics, in 2020, the gross enrolment rate for girls was 91.77 per cent in primary education, 91.17 per cent in lower secondary education, 85.70 per cent in upper secondary education and 60.72 per cent in tertiary education. Overall, from primary to tertiary education, the female gross enrolment rate was 82.24 per cent.

14. Government expenditure on education as a percentage of gross domestic product (GDP) was a mere 2.71 per cent in 2020, corresponding to 8.83 per cent of government expenditure on education, according to data from the Institute.

15. Armenia submitted its national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021). In the report, challenges were raised in relation to Yazidi girls, who marry at the age of 15 or 16 – impeding them from pursuing higher education or completing their schooling. In addition, in terms of opportunities to obtain higher education, girls residing in rural areas are more vulnerable, which results in unequal treatment in the future. Issues in relation to gender stereotypes among students and teachers at all levels of education were also raised.

### **Belgium**

16. Belgium has not yet ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

17. The Constitution of Belgium guarantees the right to education for all (art. 24 (3)) and contains a general principle of non-discrimination (art. 11).

18. While national legislation does not provide for the right to education, the French- and German-speaking communities have adopted the Decree of 12 December 2008, on the fight against certain forms of discrimination, and the Decree of 19 March 2012, on the fight against certain forms of discrimination, respectively – guaranteeing non-discrimination in education, including on the basis of sex. The Flemish community adopted the Decree of 28 June 2002, on equal educational opportunities, in which it is noted only that the provisions should be read “with a view to” preventing discrimination. The federal Act of 29 June 1983, on compulsory education, as amended in 2019, guarantees 13 years of compulsory pre-primary, primary and secondary education beginning at the age of 5. The Constitution provides for access to free education until the end of compulsory schooling.

19. In the Civil Code, it is stated that the minimum age for marriage is 18, but the Family Court may authorize marriage before that age for serious reasons – without specifying an absolute minimum age.

20. The German- and French-speaking communities prohibit discrimination in education on the basis of sex and related areas such as pregnancy, childbirth and maternity in their legislation.

21. No legislative provisions explicitly prohibiting corporal punishment have been identified in the three communities. With regard to other forms of violence, the French community has adopted decrees prohibiting harassment, including sexual harassment, and providing for actions to prevent and reduce violence. No legislative provisions concerning other forms of violence in education have been identified for the Flemish- and German-speaking communities.

22. The minimum age of employment, defined in articles 6 and 7 (1) of the Labour Act of 16 March 1971, as amended, is 15, which is aligned with the age at which compulsory education ends: according to article 1.1 of the Act of 29 June 1983, full-time schooling is compulsory until the age of 15 and consists of not more than 7 years of primary education and at least the first 2 years of full-time secondary education.

23. Data from the Institute of Statistics in 2019 indicate that the female gross enrolment rate was 103.19 per cent in primary education, 165.74 per cent in secondary education and 92.23 per cent in tertiary education. Overall, the female gross enrolment rate from primary to tertiary education was 124.53 per cent.

24. Government expenditure on education as a percentage of GDP was 6.38 per cent in 2018, corresponding to 12.22 per cent of government expenditure on education, according to data from the Institute.

25. Belgium submitted its national report on the measures taken to implement the Recommendation against Discrimination in Education to the tenth consultation (2020–2021). It was reported that, for the 2019–2024 administration, the 13 objectives set for the design of a policy on social dimensions in higher education include countering gender imbalances in general, in certain disciplines and among higher education staff. It was also reported that there were action plans for the prevention of (gender-related) violence, bullying or other “transgressive” behaviour at school.

## **Finland**

26. Finland ratified the Convention against Discrimination in Education on 18 October 1971.

27. The Constitution of Finland of 1999, as amended, enshrines only the right to basic education for all. The principle of equality on the ground of sex is guaranteed in section 6 of the Constitution: “everyone is equal before the law ... No one shall, without an acceptable reason, be treated differently from other persons on the grounds of sex... ”.

28. Finnish legislation guarantees at least 12 years of free primary and secondary education. The Constitution states that “everyone has the right to basic education free of charge” (sect. 16). The Basic Education Act of 1998, as amended in 2020, guarantees one year of compulsory, free pre-primary education (sect 26 (a)). The Act also guarantees nine years of compulsory primary and lower secondary education starting at the age of 7.

29. The legal age for marriage is 18 for both sexes, as defined in the Marriage Act (sect. 4).

30. No explicit legal provision has been identified relating to the right to education of pregnant and parenting girls in the legislation of Finland. However, the Act on Child Custody and Right of Access of 1983, as amended in 2019, prohibits corporal punishment in all settings (sect.1.3).

31. The minimum age of employment is 15, on condition that the person concerned has completed compulsory education; this is aligned with the age at which compulsory education ends.

32. In 2018, according to the data from the UNESCO Institute for Statistics, 99.7 per cent of female pupils transitioned effectively from primary to lower secondary general education.

33. Government expenditure on the right to education as a percentage of GDP was reported by the Institute to be 6.3 per cent in 2018. This corresponds to 11.7 per cent of total government expenditure.

34. Finland submitted its national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021).

## **The Gambia**

35. The Gambia has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

36. Under the Constitution of the Gambia of 1997, as amended in 2017, the right to equal educational opportunities and facilities is guaranteed. It provides for free and

compulsory basic education (art. 30) and contains a non-discrimination provision that includes gender as a prohibited ground (art. 33).

37. According to the Constitution (art. 30a), basic education is free and compulsory, but the duration of compulsory education is not defined in the Constitution or in the legislation.

38. The legal age for marriage under the Children's Act is 18.

39. The right to education of pregnant and parenting girls is protected in the legal framework. The Women's Act of 2010 prohibits pregnant girls from being expelled and protects their right to return to school after they have given birth.

40. The minimum age of employment is not clear in the legislation, nor is the age at which compulsory education ends. It is therefore impossible to tell whether the two ages are aligned. The minimum age for the engagement of a child in light work is 16 years.

41. In 2019, according to data from the UNESCO Institute for Statistics, 94.1 per cent of female pupils effectively transitioned from primary to lower secondary general education.

42. Government expenditure on the right to education as a percentage of GDP was 2.76 per cent in 2020, according to data from the Institute.

43. The Gambia did not submit a national report following the tenth consultation of member States on the Recommendation against Discrimination in Education. However, it participated in the ninth such consultation in 2016. It should be recommended that the country participate more systematically in the monitoring consultation conducted by UNESCO.

## **Honduras**

44. Honduras ratified the Convention against Discrimination in Education on 5 September 2013.

45. The Constitution of Honduras does not comprehensively enshrine the right to education, as it is limited to children (art. 123). It contains a provision on equality of rights and a provision on non-discrimination without distinction based on sex (art. 60).

46. The legal framework enshrines the right to education (art. 1 of the Fundamental Law on Education of 2012) and contains an equality of rights provision without distinction based on gender, for all within the territory (art. 28 of the Law on Equal Opportunities for Women of 2000). The Fundamental Law on Education guarantees free, compulsory primary and secondary education for 11 years, starting at the age of 6, as well as one year of free, compulsory pre-basic education.

47. The legal age of marriage, without exceptions for girls and boys, has been 18 since 2017. Previously, exceptions allowed for marriage before that age.

48. The law on equal opportunities for women allows for the re-entry into education of parenting girls after maternity leave. In article 35, it is stated that "pregnant students in schools will be granted maternity leave, without jeopardizing the continuity of their education". The legal framework protects learners from corporal punishment in education (art. 191 of the Family Code). Although children are protected from other forms of violence (art. 24 of the Code of Childhood and Adolescence), this does not apply specifically to educational institutions, and there is no explicit mention of sexual or gender-based violence in the article. As indicated in the gender report of the Global Education Monitoring Report Team issued in 2020, entitled *A New Generation: 25 Years of Efforts for Gender Equality in Education*,

55 per cent of girls in Honduras reported not attending school at some point owing to physical violence perpetrated by teachers.

49. Compulsory schooling ends at the age of 17. While children subject to compulsory education are not allowed to work, the minimum age of employment is 14 and can be lowered by the competent authorities, which could interfere with their right to education.

50. In 2019, according to data from the UNESCO Institute for Statistics, 75.8 per cent of girls transitioned effectively from primary to lower secondary general education.

51. In 2020, government expenditure on education was 6.4 per cent of GDP (data from the Institute). This corresponded to 24.3 per cent of total government expenditure.

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

### **Saint Kitts and Nevis**

53. Saint Kitts and Nevis has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

54. The Constitution of Saint Kitts and Nevis does not enshrine the right to education. It contains a provision on non-discrimination on the basis of sex (art. 15).

55. In the legislation, it is stated that all persons are entitled to receive an educational programme, but its provision is dependent on available resources (Education Act of 2005), so the right to education is not fully guaranteed. A non-discrimination provision regarding access to education explicitly mentions sex among the prohibited grounds of discrimination (art. 28). Education is compulsory between the ages of 5 and 16. It is free of tuition fees, but under the law, other charges may be imposed with the approval of the Ministry of Education.

56. According to the Marriage Act of 2002, the minimum age of marriage is 18, but it is possible to marry between the ages of 16 and 18 with parental or judicial consent. Judicial exceptions can be made to allow marriage before the age of 16, but not before a child reaches the age of 15.

57. The wording contained in the Education Act with regard to student discipline (art. 15, subregulation 2) implies that not all pregnant girls are permitted to attend school: “Notwithstanding sub-regulation (1), where a student who is pregnant is permitted to attend school for the duration of the pregnancy, the principal of the school may exempt the student from wearing the school uniform”). Under the Act, the use of corporal punishment within educational institutions is authorized (art. 49). Moreover, no provision in the legal framework has been identified that prohibits other forms of violence such as sexual, psychological or physical violence within educational institutions.

58. The legal age for employment is 16 years old, which is aligned with the age at which compulsory education ends.

59. In 2015, the rate for the effective transition of females from primary to lower secondary general education reached 100 per cent (data from the UNESCO Institute for Statistics). More recent data are not available.

60. In 2019, government expenditure on education represented 3 per cent of GDP, corresponding to 12.3 per cent of total government expenditure. This was reduced in 2020, when 11.1 per cent of the total government expenditure was dedicated to education.

61. Saint Kitts and Nevis submitted its national report on the measures taken to implement the Recommendation against Discrimination in Education to the tenth consultation (2020–2021).

### **Switzerland**

62. Switzerland has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

63. The Federal Constitution of the Swiss Confederation only enshrines the right to basic, “adequate” education (art. 19). Under article 8 (2), discrimination on the ground of sex is proscribed, and in article 8 (3), it is stipulated that men and women are equal in law.

64. The right to education in its entirety is not guaranteed under either the Intercantonal Concordat on School Co-ordination of 1970 or cantonal legislation. Under the Concordat, compulsory education is established from the age of 6, with compulsory schooling lasting at least nine years, but the normal duration of schooling is set as 12 years (art. 2). In the Constitution, it is stipulated that the nine years of basic education are free (art. 19). Tuition fees apply to upper secondary education in some cantons. In certain cantons, pre-primary education is neither compulsory nor free of charge.

65. According to the Civil Code of 10 December 1907 (as at 1 January 2020), the minimum age for marriage is 18 for both sexes.

66. No legal provisions explicitly concerning the education of pregnant girls and young mothers have been identified at either the federal or cantonal level. With regard to the prohibition of violence, it is stipulated in article 11 of the Constitution that “children and young people have the right to special protection of their integrity”, but no provision explicitly preventing violence in schools has been found in the legislation of certain cantons. While corporal punishment is generally illegal in schools, legislation is fragmented among the cantons.

67. According to the Federal Act on Labour in Industry, Trade and Commerce, the minimum age of employment is 15, which is aligned with the age at which compulsory education ends.

68. According to the most recent data from the UNESCO Institute for Statistics, the completion rate of girls in Switzerland is very high, with 99.9 per cent of females successfully transitioning from primary to lower secondary school. No information is available from the Institute on the completion rates for secondary education.

69. According to data from the Institute, and as of 2018, government expenditure on education accounted for 4.9 per cent of GDP, corresponding to a total of 15.5 per cent of total government expenditure.

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

### **Ukraine**

71. Ukraine ratified the Convention against Discrimination in Education on 19 December 1962.

72. The Constitution of Ukraine of 1996, as amended in 2016, expressly enshrines the right to education for everyone (art. 53) and stipulates equality between men and women in the right to education and vocational training (art. 24).

73. The Law on Education of 2017 expressly enshrines the right to high-quality and affordable education for everyone (art. 3) and proscribes discrimination in education



based on, inter alia, gender (art. 25). Under article 12 of the Law, 12 years of education (primary and secondary) are compulsory from the age of 6 (art. 12), and under article 4, it is guaranteed that the State shall provide the full cycle of education from primary to secondary education, technical and vocational education and training, and higher education.

74. According to the Family Code of 2002, the minimum age of marriage is 18 (art. 22). However, the courts may grant the right to marry at the age of 16 (art. 23).

75. No explicit legal provisions concerning the education of pregnant girls and young mothers have been identified in Ukraine. Concerning the prohibition of violence, it is stipulated in article 54 of the Constitution that “educational, academic and scientific workers undertake to ... protect education seekers, during the educational process, from humiliation and breach of their honour and dignity, any forms of physical and psychological violence and exploitation”, while the Law on the Protection of Childhood of 2001 protects the child from, inter alia, physical and mental abuse.

76. According to the Labour Code of 1971, the minimum age of employment is 16 and can be lowered exceptionally to 15 with parental consent. This is not aligned with the end of compulsory education, which continues until the age of 18.

77. According to the most recent data from the UNESCO Institute for Statistics, the completion rate of girls in Ukraine is very high, with 99.7 per cent of females successfully transitioning from primary to lower secondary school. No information is available from UIS on the completion rates for secondary education.

78. According to data from the Institute, and as of 2019, government expenditure on education accounted for 5.4 per cent of GDP, corresponding to a total of 13.2 per cent of total government expenditure.

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

### **For the pre-sessional working group for the eighty-fifth session**

#### **Benin**

80. Benin ratified the Convention against Discrimination in Education on 9 July 1963.

81. The Constitution of Benin does not enshrine the right to education but does guarantee the education of children in its article 12. Article 26 provides that “the State shall ensure equality before the law for all without distinction as to origin, race, sex, religion, political opinion or social position”.

82. Article 112 of Law No. 2015-08 of 8 December 2015, establishing the Children’s Code in Benin, provides that the right to education is guaranteed but only for children. In the same article, it is stated that “parents have the obligation to enrol their children in school without any form of discrimination”. The Constitution and Law No. 2003-17 of 11 November 2003, on national education policy, only guarantee six years of free and compulsory primary education, yet Law No. 2011-26 of 9 January 2012, on the prevention and punishment of violence against women, stipulates that schooling is compulsory until the age of 16. According to the Children’s Code and Law No. 2003-17, preschool education is provided free of charge for two years, but no provision concerning the compulsory nature of this level of education has been identified.

83. Under Law No. 2015-08, the marriage of persons under the age of 18 is prohibited, except for exemptions granted under the Family Code. However, while it is stipulated in the Children’s Code that the legal age for marriage is 18, the marriage

of a minor is also permitted with the consent of the person holding parental authority, with no minimum age defined. In addition, a judicial exception is provided for, also with no minimum age defined.

84. Concerning pregnant and parenting girls, article 118 of the Children's Code provides for the continuation of education for pregnant girls and young mothers but places the obligation for the continuation of the education of young mothers on the male responsible for the pregnancy, which cannot be considered to sufficiently protect the right to education.

85. Under article 119 of the Children's Code, corporal punishment is prohibited, while under Law 2006-19 of 5 September 2006, on the punishment of sexual harassment and the protection of victims, student victims of sexual harassment by their educator or any other authority in the school are protected. Under Law No. 2011-26 of 9 January 2012, on the prevention and punishment of violence against women, violence against women in schools is prohibited.

86. The minimum age for employment is 14 according to the Labour Code, Law No. 98-004 of 27 January 1998, which is below the international standard of 15 years. It is not clear whether only primary education is compulsory or education is compulsory up to 16 years, but the ages are not in alignment.

87. Data from the UNESCO Institute for Statistics reveal that the female gross enrolment rate in 2020 was 109.67 per cent for primary education but only 42.44 per cent at the secondary level. In tertiary education, the percentage drops significantly, to 7.51 per cent.

88. Government expenditure on education as a percentage of GDP was 3 per cent in 2020, according to data from the Institute. In 2018, it was 2.93 per cent, corresponding to 17.71 per cent of government expenditure on education.

89. Benin did not submit a national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021). The country should be encouraged to participate more systematically in the monitoring consultations conducted by UNESCO.

## **Fiji**

90. Fiji has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

91. The Constitution of Fiji enshrines the right to education for all according to its article 13 (1) and proscribes discrimination, including on the grounds of “sex, gender, sexual orientation, [and] gender identity”, in its article 26.

92. Under article 28 (1) of the Education Act of 1966, as consolidated in 1976, the Minister for Education may specify the ages of compulsory schooling. The ages appear to be defined in the Compulsory Education Regulations and Orders, but UNESCO has been unable to access those legal texts. Education is not comprehensively free, as it is stated in article 25 of the Act that the Minister may prescribe school fees, although “the Permanent Secretary may remit, in whole or in part, the fees due in respect of tuition, books, board or medical attention from any individual pupil or group of pupils”. Furthermore, although early childhood education is framed as a right in article 31 (1), no legal provision has been identified that makes it compulsory, and under the same article, free education is to be introduced progressively.

93. According to the Marriage Act of 1978, the minimum age of marriage is 21, although girls can marry from the age of 16 with parental consent.

94. No legal provision has been identified relating to the right to education of pregnant and parenting girls, although the Constitution does broadly proscribe discrimination based on pregnancy. In addition, while the Constitution enshrines the right to freedom from any form of violence at school, the Juveniles Act of 1974, as amended in 1985, specifically indicates the right of teachers to administer “reasonable punishment” in its article 57 (1).

95. Under the Employment Act of 1965, as amended in 1976, the minimum age of employment is 15. However, no legal provision has been identified that defines the duration of compulsory schooling, so it is not possible to ascertain whether the ages are aligned.

96. According to data from UNESCO Institute for Statistics, the female gross enrolment rate in 2020 was 110.63 per cent for primary education and 99.06 per cent at the secondary level. In 2019, the female gross enrolment rate was 64.06 per cent in tertiary education.

97. Government expenditure on education as a percentage of GDP was 5.07 per cent in 2019, corresponding to 16.83 per cent of government expenditure on education. More recent data from the Institute reveal that, in 2021, 14.46 per cent of total government expenditure was on education.

98. Fiji did not submit a national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021). It should be recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO.

## **Guatemala**

99. Guatemala ratified the Convention against Discrimination in Education on 4 February 1983.

100. The Constitution of Guatemala does not comprehensively enshrine the right to education, as it is limited to initial, pre-primary and basic education (art. 74). There is a general principle of equality of rights.

101. The Law on National Education enshrines the right to education (art. 1) without discrimination among inhabitants of Guatemala (art. 33), and under the Law on Comprehensive Protection of Children and Adolescents, sex is explicitly mentioned as a prohibited ground of discrimination in education (art. 10). Primary education and secondary education are compulsory (art. 74) for nine years, starting from the age of 6 years and six months, and are free for 12 years. In addition, there are three years of free and compulsory pre-primary education.

102. The minimum age of marriage for girls is 18, with no exceptions.

103. No explicit legal provision has been identified that prohibits corporal punishment and gender-based violence within educational institutions. However, the Law on National Education provides for the creation of support and protection programmes for mothers during the pre- and post-natal periods (art. 33).

104. The minimum age of employment is set at 14. According to the Law of Social Development, the rights of students – including their right to complete compulsory education – should take precedence over early integration into the labour market. The Law does not provide a strong legal basis for their right to education.

105. According to data from the UNESCO Institute for Statistics, the effective transition rate for girls from primary to lower secondary general education was 84.3 per cent in 2019.

106. Government expenditure was 3.3 per cent of GDP in 2020 according to data from the Institute, which represents 21.1 per cent of total government expenditure.

107. Guatemala submitted its national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021).

### **Liechtenstein**

108. Liechtenstein has not ratified the Convention against Discrimination in Education.

109. As of 2019, the Constitution of the Principality of Liechtenstein of 1921 provides that the State “supports and promotes” education but does not expressly enshrine the right to education. It is stipulated in article 13 that “all nationals are equal before the law”.

110. No national legislation guaranteeing either the right to education or the right to education without discrimination has been identified. The School Act of 1971, as amended in 2018, provides that “compulsory schooling lasts nine school years” (art. 76), beginning at the age of 6, and that primary and lower secondary education is free for nine years. It is unclear in the legislation whether upper secondary education is free of charge; high school students in vocational streams must pay school fees.

111. According to the Marriage Act, as amended in 1998, the minimum age of marriage is 18. However, the Act provides for the possibility of marriage before that age with judicial consent, without specifying an absolute minimum age.

112. No explicit legal provisions concerning the education of pregnant girls and young mothers, or legislation explicitly prohibiting violence in schools, have been identified in the national legislation. However, as of 2019, corporal punishment is prohibited under article 24 of the Regulations on the Organization of Public Schools of 2004.

113. As of 2019, under the Law on Work in Industry, Trade and Commerce of 1966, the minimum age of employment is 15, which is aligned with the age at which compulsory education ends.

114. According to the most recent data from the UNESCO Institute for Statistics, 100 per cent of females successfully transition from primary to lower secondary school, as opposed to 88.7 per cent of males. No information is available from UIS on the completion rates for secondary education.

115. According to the Institute, no information is available on educational expenditure – including the percentage of GDP and the percentage of overall spending.

### **Luxembourg**

116. Luxembourg ratified the Convention against Discrimination in Education on 20 January 1970.

117. The Constitution of Luxembourg of 1868, as amended in 2020, does not enshrine the right to education comprehensively but provides that the State must ensure the organization of primary education, which will be free and compulsory, and that the State shall establish free middle schools and necessary higher education courses (art. 23). The Constitution contains a principle of equality before the law as well as a principle of gender equality (art. 10 bis).

118. The Law on Compulsory Education of 2009 provides for the right to school education for everyone living in Luxembourg (art. 2). The Law also provides for free and compulsory pre-primary, primary and secondary education for a period of

12 years from the age of 4, covering six years of primary and four years of secondary education (art. 7).

119. The Civil Code of Luxembourg of 1842 sets the legal age of marriage at 18 (art. 144.) It allows for judicial exceptions to the minimum age (art. 145) but does not provide for an absolute minimum age for minors within those exceptions.

120. Luxembourg has no legal provisions concerning the education of pregnant girls and young mothers. However, under the Law on Children and Family of 2008, corporal punishment in schools and physical and psychological violence are prohibited (art. 2).

121. The legal minimum working age is 15, provided that compulsory schooling has been completed, and is therefore aligned with the age at which compulsory schooling ends.

122. According to data from the UNESCO Institute for Statistics, in 2019, 84.6 per cent of female students were able to transition effectively from primary to lower secondary general education.

123. Government expenditure on the right to education as a percentage of GDP was reported by the Institute to be 3.6 per cent in 2018. This represents 8.7 per cent of total government expenditure.

124. Luxembourg submitted its national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021).

## **Palestine**

125. Palestine ratified the Convention against Discrimination in Education on 24 April 2018.

126. The Palestinian Basic Law enshrines the right to education for its citizens, so the right does not apply to all within the territory (art. 24.1). The Law contains a provision on equality without distinction based on sex (art. 9).

127. The right to education as provided for in legislation is guaranteed without discrimination based on gender. According to the Law on General Education of 2017, primary and secondary education is compulsory for a duration of 10 years, from the minimum age of 5 years and 7 months, and is free for 12 years, covering primary and secondary education (art. 5). Furthermore, pre-primary education is free, but no legal provision has been identified that provides for compulsory pre-primary education.

128. Marriage is governed by several personal status laws in Palestine. For example, the Jordanian Personal Status Law allows women to marry at the age of 15 “Hijri” years, which corresponds to 14 years and 6 months in Gregorian years. The Egyptian Law on Family Rights allows for girls to be married at 17, and the age can be lowered to 9 with judicial consent.

129. The Ministry of Education is responsible for prohibiting corporal punishment (art. 4 of the Law on General Education). While the Palestinian Child Law provides that the State shall take measures to preserve the child’s dignity (art. 39), no legal provision has been identified that explicitly prohibits all violence, including gender-based violence. Similarly, no legal provision has been identified that relates expressly to the right to education of pregnant and parenting girls.

130. The minimum age of employment is 15, which is aligned with the age at which compulsory education ends.

131. The effective transition rate from primary to lower secondary general education for girls was 100 per cent in 2019, according to data from the UNESCO Institute for Statistics.

132. Government expenditure represented 5.3 per cent of GDP in 2018, according to data from the Institute; more recent data are not available.

133. Palestine did not submit a national report on the measures taken to implement the Convention against Discrimination in Education to the tenth consultation (2020–2021). The country should be encouraged to participate more systematically in the monitoring consultations conducted by UNESCO.

### **Singapore**

134. Singapore has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

135. The Constitution of Singapore of 1965 does not enshrine the right to education without discrimination. In its article 16 (a), it is stipulated that there shall be no discrimination in the administration of educational institutions maintained by a public authority, but neither sex nor gender is a prohibited ground.

136. No provision enshrining the right to education in national legislation has been identified. According to the Compulsory Education Act, as amended in 2001, school is compulsory for nine years, beginning at the age of 6. Primary school consists of six years, with secondary school comprising three years. Singapore does not guarantee free primary or secondary education. Rather, the Education (Schools) Regulation, as amended in 2013, provides that school fees, tuition and registration fees, as well as additional miscellaneous fees, may be collected (art. 91).

137. The minimum age of marriage in Singapore is 18. However – according to the Women’s Charter, as amended in 2009 – a minister may grant a special licence to a female under the age of 18, with no minimum age specified, and a qadi – according to the Administration of Muslim Law Act, as revised in 2009 – may do the same.

138. No explicit legal provisions concerning the education of pregnant girls and young mothers have been identified in national legislation. Regarding corporal punishment, under the Education (Schools) Regulation, the corporal punishment of girls is prohibited, but the corporal punishment of boys is permitted.

139. According to the Employment Act, as amended in 2009, no person shall employ a child under the age of 15, which aligns the minimum age of employment with the age at which compulsory education ends.

140. According to the most recent data from the World Bank, the completion rate for females in primary education is 98 per cent, while the lower secondary completion rate for females is 100 per cent.

141. There is no information available from the UNESCO Institute for Statistics on government expenditure for Singapore.

142. Singapore did not submit a national report on the measures taken to implement the Convention and Recommendation against Discrimination in Education to the tenth consultation (2020–2021). The country should be encouraged to participate more systematically in the monitoring consultations conducted by UNESCO.

### **Thailand**

143. Thailand has not ratified the Convention against Discrimination in Education. The country should be strongly encouraged to ratify it.

144. The Constitution of the Kingdom of Thailand of 2017 does not formally enshrine the right to education but provides that the State shall ensure that every child receives quality education for 12 years from preschool to the completion of compulsory education, free of charge (sect. 54). Section 27 of the Constitution

contains an equality provision that ensures that men and women have equal rights and equal protection under the law.

145. The National Education Act B.E. 2542 of 1999, as amended in 2002, guarantees nine years of compulsory basic education free of charge, corresponding to primary and lower secondary education, from the ages of 7 to 16 (sect. 17).

146. The minimum age of marriage is 17, according to the Civil and Commercial Code of 1985 (sect. 1448). However, it is possible to marry before reaching the age of 17 with the consent of the legal guardians and the Court.

147. The Prevention and Solution of the Adolescent Pregnancy Problem Act of 2016 sets out provisions to protect the right to education of pregnant girls, but no provision regarding parenting girls has been identified. The Regulation on Student Punishment of 2005 prohibits corporal punishment (art. 6).

148. According to the Labour Protection Act of 1998 (sect. 44), the minimum age of employment is 15, which is aligned with the age at which compulsory education ends.

149. In 2019, according to data from the UNESCO Institute for Statistics, 99.3 per cent of female pupils transitioned effectively from primary to lower secondary general education.

150. Government expenditure on education as a percentage of GDP was reported by the Institute to be 3.0 per cent in 2019, representing 13.7 per cent of the total government expenditure.

151. Thailand did not submit a national report in the context of the tenth consultation of member States on the Recommendation against Discrimination in Education. The country should be encouraged to participate more systematically in the monitoring consultations conducted by UNESCO.

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