



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, the specialized agencies of the United Nations system have been invited to submit to the Committee, at its eighty-seventh session, reports on the implementation of the Convention in areas falling within the scope of their activities.

* CEDAW/C/87/1.

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



I. Introduction

1. The right to education, which lies at the heart of UNESCO's mission, is enshrined in international human rights law through numerous legally binding international treaties.
2. UNESCO's work on education and gender equality is guided by the UNESCO Strategy for gender equality in and through education (2019–2025), which focuses on system-wide transformation to benefit all learners, and targeted interventions to support girls' and women's empowerment. The Strategy aims to achieve UNESCO's vision to enable girls and boys, women and men and all learners, to realize their rights and potential in and through education. 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. To achieve this, the Organisation provides technical support to its Member States to 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 girls' and women's participation in quality educational opportunities.
3. The Organization also monitors the status of national constitutions, legislation and regulations related to girls' and women's education rights across the world through "HerAtlas" – an interactive online tool that was a valuable resource in compiling this report. UNESCO's initiative "Her Education, Our Future" – to which HerAtlas contributes – is designed to accelerate action on girls' and women's education by leveraging political and financial commitments, and leadership.
4. From a more general perspective, the "Observatory on the right to education" monitoring tool (currently inaccessible as a technical upgrade is underway), which sheds lights on inequalities in countries by publishing data on implementation of the right to education at national level, has also provided useful documentation for this report.
5. To monitor and advocate for 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. To follow-up effectively on the information obtained, an analytical report synthesizing the findings of the national reports is then prepared. The latest Consultation on the Convention and Recommendation resulted in the submission of 82 national reports. The information contained in the national reports has served as a source for the elaboration of the Global Report 'From right to country level action' and is also used for this report. The next consultation is being launched early 2024 and will conclude in 2025.
6. UNESCO therefore 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 (CEDAW), in particular its 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 under review

For the 87th session

Central African Republic

7. The Central African Republic ratified the UNESCO Convention against Discrimination in Education on 22/02/1962.

8. The Constitution does not guarantee the right to education but does enshrine the principle of equality regardless of gender. The Law on the orientation of education enshrines the right to education and guarantees access to education regardless of gender.

9. According to both the Constitution and the law of Central African Republic, at least 9 years of compulsory primary and secondary education are guaranteed, but only 5 years of free education. Moreover, no legal provision guaranteeing free and compulsory pre-primary education has been identified.

10. According to the Child Protection Code of 2020, the minimum legal age of marriage is 18 years for both girls and boys.

11. The Child Protection Code explicitly guarantees the right to education for pregnant girls and young mothers. This Code protects children against some forms of violence (discrimination, stigmatization, harassment, in particular sexual harassment, child sexual abuse, sexual exploitation for the purpose of prostitution) in schools, but not all of them. In addition, while violent discipline is prohibited, it does not explicitly prohibit all forms of corporal punishment.

12. In the Central African Republic, the minimum age of employment is set at 16 years, aligned with the end of compulsory education.

13. According to the latest data of the UNESCO Institute for Statistics (UIS), government expenditure on education of the Central African Republic represented 2.12 % of Gross Domestic Product (GDP) in 2022 and 9.99 % of total government expenditure in 2023.

14. The Central African Republic did not submit a national report on the measures taken to implement the Convention against Discrimination in Education to the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Djibouti

15. Djibouti has not yet ratified the UNESCO Convention against Discrimination in Education.

16. The Constitution of Djibouti does not guarantee the right to education, but does include the principle of equality before the law regardless of gender. The Law on the organization of the education system of Djibouti guarantees the right to education for all Djibouti citizens regardless of sex.

17. According to the Law on the organization of the education system of Djibouti, primary and secondary education are compulsory for a period of 10 years. The Law also provides for free basic state education, but without specifying any duration. With regards to early childhood care and education (ECCE), the Law does not specify whether it is included in the free public education it enshrines, but does state that it is not compulsory and is only provided on an “optional basis”.

18. According to the Civil Code, the minimal legal age for marriage is 18 years for both men and women. However, it is possible to enter marriage before this age with the authorization of a public prosecutor for serious reasons or with parental consent, or failing that with the authorization of a judge, without an absolute minimum age being defined.

19. No legal provision prohibiting corporal punishment or violence in schools has been identified. However, under Law N° 66/AN/719/8th L on the protection, prevention and care of women and children who are victims of violence (2020), the State undertakes, according to the means available, to put in place national policies and strategies and sectoral programmes, and to take all necessary measures to eliminate all forms of violence against women and children, particularly in educational and vocational training.

20. According to the Labour Code, the minimum age of employment is set at 16 years, which is aligned with the end of compulsory education.

21. According to UIS' latest data, in 2022 the gross enrolment rate in primary education was at 64% (61% for girls and 68% for boys), while the gross enrolment rate in secondary education was at 45% (42% for girls and 48% for boys).

22. Djibouti did not submit a national report on the measures taken to implement the Recommendation against Discrimination in Education for the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Greece

23. Greece has not yet ratified the UNESCO Convention against Discrimination in Education.

24. The Constitution of Greece guarantees the right to education for Greek citizens only and enshrines the principle of equality regardless of gender. Law 4443/2016 prohibits gender-based discrimination but no provision enshrining the right to education has been identified in the law.

25. According to the Constitution, at least 9 years of compulsory primary and secondary education are guaranteed, and education is guaranteed free at all levels, meaning that there are at least 12 years of free primary and secondary education. Pre-school education is compulsory and free for two years, from age 4.

26. The Civil Code defines the minimal age for marriage as 18 years for both men and women, but it is possible to marry before that age with judicial consent for specific reasons, with no absolute minimum age defined.

27. The legislation explicitly prohibits corporal punishment in secondary schools, but no provision has been identified for other levels of education, nor as regard other types of violence.

28. In Greece, the minimum age of employment is set at 15 years, but those who have not reached 16 years old or are still attending high school may not work more than six hours a day and 30 hours per week. Therefore, the age of work is aligned with the end of compulsory education.

29. According to UIS' latest data, in 2021 the gross enrolment rate in primary education was at 99% (99% for girls, and 99% for boys), while the gross enrolment rate in secondary education was at 106% (104% for girls and 107% for boys).

30. According to UIS' latest data, government expenditure on education of Greece represented 4.06 % of GDP in 2022 and 7.11 % of total governmental expenditure in 2021.

31. Greece did not submit a national report on the measures taken to implement the Recommendation against Discrimination in Education for the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Italy

32. Italy ratified the UNESCO Convention against Discrimination in Education on 06/10/1966.

33. The Constitution of Italy does not comprehensively guarantee the right to education but contains a provision on equality before the law without discrimination on the grounds of sex. The legislative framework guarantees the right to education for all people on the national territory but does not enshrine a non-discrimination principle.

34. The Constitution provides for free and compulsory primary education, which is provided for 8 years. The legislative framework guarantees at least 9 years of compulsory education and 12 years of free education, covering primary and secondary education. It also enshrines free pre-primary education for 3 years but does not make it compulsory.

35. According to the Civil Code, the minimum age for marriage is 18 for both men and women. However, marriage may be contracted by children aged between 16 and 18 with the consent of a court for serious reasons.

36. The Court of Cassation delivered a ruling in 1971 which explicitly forbids the use of corporal punishment in the school system and corporal punishment is not enshrined as one of the discipline measures authorized in schools, but an explicit prohibition has yet to be reflected in the law. The national education plan includes the prevention of gender-based violence and discrimination, but does not explicitly prohibit these types of violence.

37. The minimum age of employment is set at 16 years, which is aligned with the end of compulsory education.

38. According to UIS' latest data, in 2021 the gross enrolment rate in primary education was at 102% (101% for girls, and 102% for boys) while the gross enrolment rate in secondary education was at 102% (102% for girls and 103% for boys).

39. According to UIS' latest data, government expenditure on education of Italy represented 4.13 % of GDP in 2022 and 7.44 % of total governmental expenditure in 2021.

40. Italy submitted a national report on the measures taken to implement the Convention against Discrimination in Education for the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Niger

The information provided below applies to the time period before August 2023. No information is available regarding the current de facto authorities and the legal framework being applied in the country.

41. The Republic of Niger ratified the UNESCO Convention against Discrimination in Education on 16/07/1968.
42. The legal framework of Niger enshrines the right to education for all without discrimination based on sex.
43. Decree n° 62-021/MEN provides for compulsory primary education, for a duration of six years, starting at age six (cycle 1 of basic education, law n°. 98-12 of 1 June 1998). No legal provision enshrining free education has been identified.
44. According to the Civil code of 2005, women can marry at the age of 15 and men at 18 years old. The President of the Republic can also accept exceptions to these ages for serious reasons.
45. It has been reported that corporal punishment is prohibited in schools by circular letter No. 16/MEN/DEPD of 2 April 1981. However, it has yet to be prohibited by law. No legal provision concerning the prohibition of other type of violence in schools has been identified. Niger adopted an order in 2019 explicitly stating that pregnant and parenting girls had the right to stay in school.
46. The end of compulsory education (12 years) is not aligned with the minimum age of employment, which is set at 14 years old.
47. According to UIS' latest data, in 2021 the gross enrolment rate in primary education was at 65% (62% for girls and 68% for boys). However, there is no recent data available for secondary education.
48. According to UIS' latest data, in 2022 government expenditure on education of Niger represented 4.10 % of GDP and 12.37 % of total governmental expenditure.
49. Niger did not submit a national report on the measures taken to implement the Convention against Discrimination in Education to the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Oman

50. Oman has not ratified the UNESCO Convention against Discrimination in Education; it is recommended that Oman be encouraged to take concrete steps to ratify it.
51. The Constitution of Oman does not explicitly enshrine education as a right. It does prohibit discrimination on the grounds of sex. The 2023 school education law guarantees that students have equal rights to receive education services without discrimination, including based on sex.
52. The 2023 school education law enshrines compulsory education starting at age six, as well as free education in public schools. However, the duration of free and compulsory education is not explicitly mentioned in the law.
53. The minimum age of marriage is 18 years, but judicial consent permits marriage below this age. There is no absolute minimum age specified by law.

54. The 2023 school education law explicitly prohibits corporal punishment on students. The law also prohibits using social media or other means to blackmail, defame, spread rumors, or insult society or the school's students and employees. However, no legal provision concerning the prohibition of other types of violence in schools has been identified.

55. The minimum age of employment is set at 15 years, but the age at which compulsory education ends has not been identified in the law. Therefore, the alignment of ages cannot be assessed.

56. According to UIS' latest data, in 2022 the gross enrolment rate in primary education was at 90% (91% for girls and 89% for boys). In 2022, the gross enrolment rate in secondary education was at 92% (91% for girls and 93% for boys).

57. Oman did not submit a national report on the measures taken to implement the Recommendation against Discrimination in Education to the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Tajikistan

58. Tajikistan ratified the UNESCO Convention against Discrimination in Education on 28/08/1992.

59. The legal framework of Tajikistan guarantees the right to education for all without discrimination based on gender.

60. The legal framework of Tajikistan enshrines 11 years of free primary and secondary education, of which nine are compulsory. Pre-primary education is not compulsory; the legislation states that the activities of a state pre-school educational institution are financed by the state.

61. The legal age of marriage is 18 years, but can be lowered to 17 years old with judicial consent.

62. Physical and psychological violences on students are prohibited in the legislation, however no explicit prohibition of corporal punishment nor of sexual violence has been identified.

63. The minimum age of employment is set at 15 years old, which is aligned with the end of compulsory education.

64. According to UIS' latest data, in 2022 government expenditure on education in Tajikistan represented 5.45 % of GDP and 18.75 % of total governmental expenditure.

65. Tajikistan did not submit a national report on the measures taken to implement the Recommendation against Discrimination in Education to the most recent 10th Consultation (2020–2021). It is recommended that the country participate more systematically in the monitoring consultations conducted by UNESCO, and specifically the 11th consultation on the Convention against Discrimination in Education, which will be conducted in 2024–2025.

Turkmenistan

66. Turkmenistan ratified the UNESCO Convention against Discrimination in Education on 02/04/2021.

67. The Constitution of Turkmenistan enshrines the right to education for citizens and equal rights for men and women. The Education Law of Turkmenistan guarantees the right to education regardless of gender.

68. The law of Turkmenistan enshrines primary and secondary compulsory and free education for a duration of twelve years, starting at age six. According to the law, education is free in state educational institutions of Turkmenistan in the general education programme, which includes pre-school education. One year of pre-primary education is compulsory from the age of five, in preparation for primary school, however this compulsory year can be implemented in the family, in preschool or in other educational institutions.

69. The minimum age of marriage in Turkmenistan is 18 years but, with the permission of the guardianship authorities, girls can marry at 17 years old.

70. Corporal punishment is prohibited in educational institutions. Although the state has an obligation to protect children from assault and sexual violence, this does not explicitly apply to educational institutions. No legal provision covering other type of violence in school has been identified.

71. The minimum age of employment is set at 15 years, which is aligned with the end of compulsory education.

72. According to UIS' latest data, in 2022 the gross enrolment rate in primary education was at 110% (111% for girls, and 110% for boys). In 2022, the gross enrolment rate in secondary education was at 96% (96% for girls and 95% for boys).

73. According to UIS' latest data, in 2020 government expenditure on education of Turkmenistan represented 3.78 % of GDP and 28 % of total governmental expenditure.

74. Turkmenistan submitted a national report on the measures taken to implement the Recommendation against Discrimination in Education to the most recent 10th Consultation (2020–2021). It is recommended that it participate in the 11th consultation, which will be conducted in 2024–2025.
