



**COMPENDIUM OF REGIONAL AND INTERNATIONAL LEGAL INSTRUMENTS
ON GIRLS' AND WOMEN'S EDUCATION**

MAY 2020



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About AU/CIEFFA

The African Union - International Centre for the Girls and Women's Education in Africa (AU/CIEFFA) is a specialized institution of the African Union since 2004, dealing with women and girls' education following Decision Assembly/AU/DEC.44 (III). The centre is located in Ouagadougou, Burkina Faso.

AU/CIEFFA has been established under the Department of Human Resources Science and Technology at the African Union Commission to coordinate the promotion of girls and women's education in Africa, with a view of achieving their economic, social and cultural empowerment.

The centre works closely with AU member States and government, civil society and international partners to implement its programme and activities and maintains specific working relationship with UNESCO to ensure a strong partnership in the implementation of its programs.

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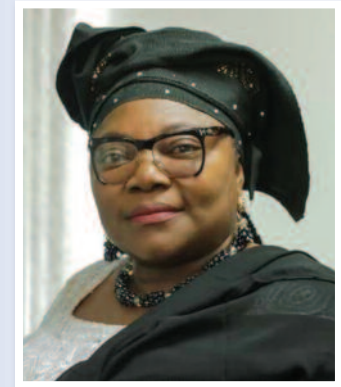
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FOREWORD

African girls and women still continue to face new and increasing infringements on their fundamental rights. In line with **Agenda 2063, The Africa We Want**, the African continent is committed to promoting gender equality and the empowerment of women and girls. Significantly, to achieve this the African Union's declared 2010–2020 as the African Women's Decade. Moreover, many of the countries have ratified the **Convention on the Elimination of All Forms of Discrimination against Women**; more than half have ratified **the African Union's Protocol on the Rights of Women in Africa**.



The African Union has made significant strides towards promoting gender equality in the Continent through legal and policy frameworks. Key among them, is the adoption of **Continental Education Strategy for Africa 2016-2025 (CESA 2016-2025)**, an important milestone in the education sector. Gender equality and sensitivity throughout the education and training systems is one of the seven pillars of CESA. Governments are required to provide equal opportunities to girls and women, boys and men to ensure socio-economic development of the continent.

This Compendium of Legal Instruments, Policies and Frameworks Pertaining to Girls and Women's Education in Africa is necessitated by the need for practical realisation of girls and women's rights to education, as well as boys, as stipulated in the vast body of international law and inter-governmental commitments. It collates and consolidates various commitments made by African Union (AU) Member States – both regionally and at international level, the United Nations (UN), to ensure that an inclusive approach is adopted toward the realization of girls and women's right to education.

Furthermore, this Compendium is the first attempt to consolidate international standards and commitments relevant to adopting an inclusive approach toward girls and women's education. It provides a summary of only relevant texts of the instrument pertaining to education for ease of reference. For detailed reading of the consolidated instruments, one can visit the website or link provided to download the full text. It is a work in progress. Input and feedback on how the Compendium can be made more inclusive, accessible and resourceful is welcome.

Finally, I urge the readers and users of this Compendium to also refer to the Monitoring Framework on progress of implementation of these various texts, the level of knowledge by the AU Member States, numerous challenges explaining the lack of their effective implementation, good practices/success stories that exist and strategies to facilitate law enforcement by our Member States.

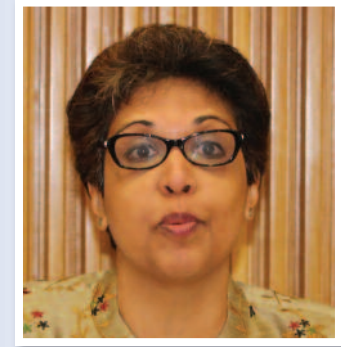
This compendium has been made possible due to the tireless efforts of **AU/CIEFFA, (African Union/International Center for Girls and Women's Education in Africa)**, a specialised institution of the African Union.

A handwritten signature in black ink, appearing to read 'Sarah Anyang-Agbor'.

Prof. Sarah Anyang-Agbor
Commissioner, Human Resources, Science & Technology

PREFACE

There are numerous obstacles to the realization of the right to education in our continent. While some of these barriers apply to both boys and girls, there are specific hurdles that girls must overcome in many contexts in order to equally enjoy their human rights to, within and through education. Education continues to be denied to girls as a result of cultural and social norms and practices that perpetuate harmful stereotypes about appropriate roles for women and reinforce the idea that education is 'wasted' on girls.



Gender-related violence and other forms of discrimination within schools also contribute to a high rate of school abandonment by girls. Alongside the socio-cultural factors that give rise to violations of girls' human rights, there are other legal, political and economic obstacles that may limit the full implementation of the right to education for girls.

Several recent cases of attacks against girls accessing education have highlighted the fragile nature of achievements in increasing the accessibility, availability, adaptability, acceptability and quality of education for all. A large gap persists between the transformative promise of education and the realities of gender inequality for women and girls in every society in each aspect of their lives.

It is within this context that the African Union International Centre for Girls and Women's Education decided to compile a list of regional and international legal frameworks for the rights of girls and women to education. This Compendium is intended to be a reference point for governments and human rights defenders in their efforts to ensure actual realization of the fundamental rights and freedoms and safeguard them against violations.

The development and publication of this compendium of legal instruments and policies pertaining to girls and women's right to education has been a long and engaging process.

My special thanks go to Dr Ruth Aura-Odhiambo, Dean, Faculty of Law, Egerton University, Nakuru-Kenya and Mrs Simone Yankey-Ouattara, Senior Policy Officer, AU/CIEFFA for dedicating their time and expertise to the development of this Compendium.

Gratitude is also extended to all Parliamentarians of the Pan African Parliament (PAP), Departments of the AU Commission, AU organs, and all stakeholders engaged who have contributed to enrich this compendium.

Finally, we are grateful to the entire staff of the AU/CIEFFA who provided crucial support during the preparation and finalization of this Compendium: Ian Kaliwo, Boubakar Yougbare, Felicite Kou-Nangue and Jeanne Traore.

Dr Rita Bissoonauth
AU/CIEFFA Coordinator

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LIST OF ACRONYMS

ACRWC	=	African Charter on the Rights and Welfare of the Child
AU	=	African Union
AUC	=	African Union Commission
AWD	=	African Women's Decade
AYC	=	African Youth Charter
BDPA	=	Beijing Declaration and Platform for Action
CEDAW	=	Convention on the Elimination of all forms of Discrimination Against Women
CEESA	=	Continental Education Strategy For Africa
CRC	=	Convention on the Rights of the Child
ECD	=	Early Childhood Development
EFA	=	Education for All
EiE	=	Education in Emergencies
EMIS	=	Education Management Information System
ESD	=	education for sustainable development
FAWE	=	Forum for African Women Educationalists.
GCE	=	global citizenship education
GES4CESA	=	African Union Gender Strategy on CESA
HIV/AIDS	=	Acquired immunodeficiency syndrome human immunodeficiency virus
HMIS	=	Health Management Information System
ICESCR	=	International Covenant on Economic, Social and Cultural Rights
ICF	=	International Classification of Functioning, Disability and Health
LMIS	=	Labour Management Information System
MDGs	=	Millennium Development Goals
OOSC	=	Out Of School Children
RALS	=	Rapid Assessment of Learning Spaces
SDGs	=	Sustainable Development goals
SDGEA	=	Solemn Declaration On Gender Equality In Africa
STEM	=	Sciences, Technology, Engineering and Mathematics
STISA	=	Science, Technology and Innovation Strategy for Africa
SO	=	Strategic Objective
TORs	=	Terms of Reference
TVET	=	Technical and Vocational Education and Training
UN	=	United Nations
UNDP	=	United Nations Development Programme
UNESCO	=	United Nations Educational, Scientific and Cultural Organization
UNGEI	=	United Nations Girls' Education Initiative
UDHR	=	Universal Declaration of Human Rights
UNICEF	=	United Nations Children's Fund
UNICEF	=	United Nations Children's Fund
UPE/USE	=	Universal Primary Education/Universal Secondary Education
WHO	=	World Health Organization

INTRODUCTION

The international legal framework on girls and women's education is enshrined in a wide range of international and regional agreements and other legal instruments. International agreements are commonly called treaties in the context of international law. Depending on the nature and purpose of a treaty, it can also be referred to as a *Covenant, Convention, Charter, Accord, Protocol or Agreement*. A treaty is generally a legally binding instrument, which means that the implementation of the obligations undertaken by its state parties can be enforced by international law. Nevertheless, this engagement must have the express consent of the parties to the treaty.

A state can become a party to a treaty by ratification, accession or succession. *Ratification* is the formal consent of the state to be bound by the obligations expressed in the legal instrument. The effect of *accession* is similar to ratification, the difference being in the process (countries that have not signed a treaty prior to its coming into force, accede to a treaty rather than ratify it). A state may also become a party to a treaty by *succession*, when there is a specific provision in the legal instrument, or by a declaration. States can similarly make *reservations* to a treaty. This means that the state which ratifies the treaty does not agree to be bound by specific provisions in the legal instrument. This can only be done, however, if the reservations do not defeat the purpose or the object of the treaty.

Other international instruments that are not inherently legally binding, such as *international declarations, proclamations, standard rules, guidelines, recommendations and principles*, also provide a legal framework for the realization of girls and women's education. Notwithstanding their non-binding nature, states are expected to adhere to them out of a moral obligation to the international community and to their own citizens. Regardless, of the form which the legal protection takes, be it *Treaty, Covenant, Declaration, or Guidelines* issued by the State, these instruments are designed to protect and promote the rights of the girl child to education. They are key tools in demarcating and defending the parameters of that space.

This is a Compendium of existing legal instruments on inclusive approach towards girls and women's education and institutions responsible for the implementation of the right-based and inclusive approach. It aims to provide an accessible reference for research on international law relating to girls and women's education. It is organized to present information about a significant number of international legal instruments that affect girls and young women in terms of retention at school, quality of education and lifelong learning. These legal instruments are organized by international and regional origin, relevance and their binding nature. The list of instruments is not exhaustive; for example, some bilateral and multilateral agreements are not included. The Compendium provides a summary and only relevant texts of the instrument on education for ease of reference. For detailed reading of the consolidated instruments, one can visit the website or link provided to download the full text. The entries are extracts from the original texts and can therefore be cited as such.

A. Global Instruments

(a) UNESCO Convention against Discrimination in Education

Type of Instrument: Convention	Region: International	Organisation: United Nations (UN)
Status: 102 State parties Agreement enforced by International Law	Structure: Preamble, 54 Articles	Date of adoption/ entry into force: Adopted on 14 December 1960 Entry into force 22 May 1962

Description:

The Convention was adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on 14 December 1960 and entered into force on 22 May 1962. It was the first international instrument in the field of education having binding force in international law.¹ It further inspired the drafting of other international instruments, particularly Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)². The instrument prohibits all discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origins, economic condition, or birth and most importantly, ***prohibits discrimination in education specifically under Article 1, 2, 3, 4, 5, 6, 7 and 9.***

Article 1

“UNESCO Convention against Discrimination in Education”:

Article 1 defines ‘discrimination’ to include the distinction, exclusion based on race, sex, colour, religion among others, which has the effect of impairing equal treatment in education. It is discriminatory to:

- a) Restrict one’s access to any type or level of education;
- b) Limit one to education of an inferior standard;
- c) Subject to Article 2, establish separate education systems or institutions for persons or a group of persons;
- d) Inflict on a person or group of persons conditions violating their dignity.

Article 1 (2) defines education to include all types and levels of education, access to education, the standard and quality of the education offered and the conditions under which it is given.

¹Yves Daudet and Pierre Michel *Eisemann Commentary on the Convention Against Discrimination in Education* (United Nations Educational, Scientific and Cultural Organization 2005).

²*Ibid.*

Article 2

Article 2 gives provisions on what does not amount to discrimination in reference to education within the meaning of Article 1. Under the said article the following cannot be termed as discriminatory:

- a) Establishing a separate education system or institution for the males and females provided that both sexes have access to education of the same quality and standard.
- b) If the establishment of the separate education institution or system is for linguistic or religious reasons, then the same should be in line with the wishes of the pupils', their parents or legal guardians.
- c) Establishing private educational institutions whose objective should not be to exclude certain groups of people, but to supplement the education already offered by the public educational institutions. Such institutions should conform to the standards approved by the competent authorities for education of the same level.

Article 3

Article 3 provides for the measures State Parties should take in order to eliminate and prevent discrimination within the meaning of the Convention and these include:

- a) Repealing any statutory provisions or administrative instructions that perpetuate discrimination in education.
- b) Ensure, and by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions.
- c) Prohibit differential treatment of nationals by public authorities in matters of school fees, scholarship grants or any form of assistance to pupils except if the same is based on merit or need.
- d) Restrict public authorities from assisting or offering preferential treatment to educational institutions based solely on the ground that pupils of a particular group belong to that facility.
- e) Giving foreign nationals' resident within their states the same access to education given to their own nationals.

Article 4

Article 4 provides for an undertaking by State Parties to formulate, develop and apply national policy that will promote equality of opportunity and of treatment in education. To achieve this State Parties commit to

- a) Make primary education free and compulsory;
- b) Make secondary education in its different forms generally available and accessible to all;

- c) Make higher education equally accessible to all on the basis of individual capacity;
- d) Assure compliance by all with the obligation to attend school prescribed by law;
- e) Ensure that the standards and quality of education are equivalent in all public educational institutions of the same level;
- f) Encourage and intensify by appropriate methods the education of persons who have not received or completed their primary education.
- g) Provide training for the teaching profession without discrimination.

Article 5

Article 5 highlights State Parties commitments. Key to these are:

- a) Ensuring education is for full development of the human personality and strengthens respect for human rights and fundamental freedoms;
- b) Giving parents or legal guardians, room to make institutional choices for religious and moral education ;
- c) Taking cognizance of the minority rights to carry on their own educational activities, including the maintenance of schools and teaching of their own language, as long as it does not jeopardize national sovereignty, lower the general set standards and the attendance of such schools is optional.

Article 6

Article 6 mandates State Parties to undertake measures to eliminate all forms of discrimination in education to ensure equality of opportunity and treatment in education.

Article 7

Under Article 7, State Parties are obligated to submit periodic reports on the challenges, achievements or measures taken to implement the Convention.

Article 9

Article 9, outlaws reservations under the Convention.

This Convention essentially lays the foundation for education as a human right for all particularly girls and women which must be fulfilled and protected by governments.

**On-line version:**

http://portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html

**Related Legal Instruments:**

- Convention on Technical and Vocational Education 1989
- Recommendation against Discrimination in Education
- Guidelines for the Preparation of Reports by Member States on the Application of the 1960 Convention and Recommendation Against Discrimination In Education

(b) World Declaration on Education For All: Meeting Basic Learning Needs

Type of Instrument: Declaration	Region: International	Organisation: United Nations (UN)
Status: Non-binding	Structure: Preamble, 10 Articles	Date of adoption/ entry into force: Adopted on 9 March 1990

Description:

The Declaration was adopted by the World Conference on Education for All on 9th March 1990 in Jontiem, Thailand. The Declaration reaffirmed the notion of education as a fundamental human right and urged countries to intensify their efforts to address the basic learning needs of all. The Conference was convened jointly by the executive heads of the United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Bank.

This Instrument:

Accentuates the benefits of educating every person child, youth and adult and the need to design education to meet their basic learning needs. Education for All covers the programmes, activities and services in the public and private sectors aimed at meeting the basic needs of children, youth and adults both within and outside school.

It exhibits the will and commitment of countries to establish in the area of child, adult and family education a new foundation for overcoming inequality and generating new opportunities for eradicating poverty. Emphasis was placed not only on access to basic education, but also on the quality of education and actual learning outcomes. ***Of relevance to this Compendium is Article III which advocates for the education of girls and women.***

Article III - Universalizing Access and Promoting Equity

1. Basic education should be provided to all children, youth and adults. To this end, basic education services of quality should be expanded and consistent measures must be taken to reduce disparities.
2. For basic education to be equitable, all children, youth and adults must be given the opportunity to achieve and maintain an acceptable level of learning.
3. The most urgent priority is to ensure access to, and improve the quality of, education for girls and women, and to remove every obstacle that hampers their active participation. All gender stereotyping in education should be eliminated.
4. An active commitment must be made to removing educational disparities. Underserved groups: the poor; street and working children; rural and remote populations; nomads and migrant workers; indigenous peoples; ethnic, racial, and linguistic minorities; refugees; those displaced by war; and people under occupation, should not suffer any discrimination in access to learning opportunities.
5. The learning needs of the disabled demand special attention. Steps need to be taken to provide equal access to education to every category of disabled persons as an integral part of the education system.



On-line version:

<https://unesdoc.unesco.org/ark:/48223/pf0000127583>



Related Legal Instruments:

- Framework For Action : Meeting Basic Learning Needs
- Dakar Framework for Action, Education for All: Meeting or Collective Commitments

(c) Universal Declaration of Human Rights (UDHR)

Type of Instrument: Declaration	Region: International	Organisation: United Nations (UN)
Status: Non-binding	Structure: Preamble and 30 Articles	Date of adoption/ entry into force: Adopted on 10 December 1948

Description:

The UDHR was adopted by the United Nations (UN) General Assembly in 1948 after the end of World War II as a common standard of achievement for all peoples and all nations. The UDHR is the source from which various human rights treaties and instruments have been developed. Although conceived as a Declaration as opposed to a treaty, today, the UDHR is widely regarded as a part of international customary law.³ The UDHR assures fundamental human rights to all people both civil and political as well as economic, social and cultural. Seen as a milestone document in the history of human rights, it sets out fundamental human rights to be universally protected and this includes the right to education which is provided for under Article 26 and 30.

To secure their universal and effective recognition and observance, all Member States are obligated to publicize and educate the citizenry on the rights stipulated hereunder.

The Instrument:

The following are the relevant parts:

Article 26

Article 26 mandates that everyone shall have a right to education that is free and compulsory at the fundamental stages. It also mandates that education should be for the full development of the human personality and gives parents the liberty the kind of education they would want for their children.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



On-line version:

<http://www.un.org/en/universal-declaration-human-rights/>



Related Legal Instruments:

- Charter of the United Nations

³Yves Daudet and Pierre Michel *Eisemann Commentary on the Convention Against Discrimination in Education* (United Nations Educational, Scientific and Cultural Organization 2005).

(d) International Covenant on Economic, Social and Cultural Rights (ICESCR)

Type of Instrument: Covenant	Region: International	Organisation: United Nations (UN)
Status: 164 State parties Agreement enforced by International Law	Structure: Preamble, 5 Parts and 31 Articles	Date of adoption/ entry into force: Adopted on 16 December 1966 Entry into force 3 January 1976

Description:

The ICESCR embodies legal provisions related to economic, social and cultural rights. States are required to take positive steps to implement these rights, to the maximum of their resources, in order to achieve the progressive realization of the rights recognized in the Covenant, particularly through the adoption of domestic legislation.⁴

The Economic and Social Council is responsible for monitoring the implementation of the Covenant by the States parties. The Committee on Economic, Social and Cultural Rights is the delegated body to fulfill this task. States are required to report to the Committee within two years of becoming a party to the Covenant and thereafter every five years.

The Instrument:

Of relevance to this compendium are Articles 13 and 14 of this instrument that provide for girls' education:

Article 13

Stipulates the right of all individuals to education that enables full development of their human personality and ability to participate freely in the society. In order to achieve this fully state parties are mandated to provide the following:

- a. Free and compulsory primary education
- b. Progressive free secondary education accessible to all
- c. Progressive and accessible free higher education to all
- d. Fundamental education for those who have not received or completed the same.
- e. Develop a system of schools and improve the material condition for teaching staff.

⁴Office of the High Commissioner for Human Rights, United Nations Staff College Project, Human Rights: A Basic Handbook for UN Staff, United Nations, 2000, p.12. Available at <http://www.ohchr.org/Documents/Publications/HRhandbooken.pdf> (accessed 30 October 2016).

State parties undertake to respect the liberty of parents and /or legal guardians to choose schools for their children other than those established by public authorities as long as they conform to the minimum standards set by the State.

Article 14

Decrees all State parties that have not implemented the obligation to offer free and compulsory primary education to work out and adopt a detailed action plan within two years for the progressive implementation of the same.



On-line version:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>



Related Legal Instruments:

- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

(e) Convention on the Elimination of all forms of Discrimination Against Women

Type of Instrument: Convention	Region: International	Organisation: United Nations (UN)
Status: 189 State parties Agreement enforced by International Law	Structure: Preamble, 6 Parts, 30 Articles	Date of adoption/ entry into force: Adopted on 18 December 1979 Entry into force 3 September 1981

Description:

In 1967, after two years of negotiations, the UN General Assembly adopted the Declaration on the Elimination of Discrimination against Women, a non-binding document which laid the groundwork for the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Subsequently, the UN Commission on the Status of Women began drafting CEDAW, which the General Assembly adopted on 19th December 1979⁵ and entered into force on 3rd September 1981, when having received the required 20 ratifications. CEDAW is the only comprehensive international UN treaty that specifically focuses on the rights of women.⁶ The instrument calls for Parties to eliminate discrimination against women in all areas of life, including healthcare, education, employment, domestic relations, law, commercial transactions, and political participation, among other things.

The Instrument:

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

⁵The Commission on the Status of Women was established in 1946 as a functional commission of the U.N. Economic and Social Council. It is responsible for preparing recommendations and reports for the Council on women's rights in the political, economic, civil, and social realms.

⁶Women's rights and the equality of the sexes are addressed in general terms in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights, among others.

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women, Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations.

CEDAW protects and promotes women's socio-economic and political rights although it is Article 10 which emphasizes the right to education as the foundation of gender equality and women empowerment.

United Member States Have agreed on the following:

PART I



Article 1

Discrimination

Proffers Discrimination against women to include any distinction, exclusion or restriction that affects women's enjoyment of political, economic, social, cultural, civil or any other rights on an equal basis with men. Discrimination in this context mean practices that prevent women from going to school and participating in educational activities.

Article 2

Policy measures

States are required to take measures such as: Developing laws and regulations, implementing policies and change practices to eliminate discrimination against women. By extension, States are required to eliminate discrimination against women in all institutions including educational institutions and protect women from discrimination.

Article 3

Equality

Women are fundamentally equal with men in all spheres of life. States should take action to ensure women can enjoy basic human rights and fundamental freedoms. In this context women have the rights to access education on equal footing with men from its benefits and results.

Article 4

Temporary Special measures

States are required to adopt affirmative action or temporary special incentives such as quotas or women-only services to accelerate women's equality. This means that the governments should use affirmative action in the education sector to promote women's access to education and their participation in key decision making positions in the sector. Other measures envisaged here are reintegrating pregnant girls back to school and providing a supportive environment to continue with their education.

Article 5

Sex roles and stereotyping

The Convention recognizes the influence of culture and tradition in restricting women's enjoyment of rights. States must modify or abolish discriminatory cultural practices and take

appropriate measures to eliminate sex role stereotyping and prejudice stemming from the idea of the inferiority or superiority of one sex over the other. States must ensure that these prejudices are eliminated in the education sector.

Article 6

Trafficking and Prostitution

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women. This includes trafficking of young girls for exploitation and this jeopardizes their access to education and quality of life.

PART II

Article 7

Political and Public life

Women have equal rights to vote, hold public office and participate in civil society. States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country, on equal terms with men. This calls for government to ensure that women are represented in the Ministry of Education, educational institutions as part of the policy making organ to present and represent their interests.

Article 8

Participation at the International Level

Women should be able to represent their country internationally and work with international organizations on an equal basis with men. State Parties should build the capacity of women to meet the level of the qualifications needed to attain the jobs and to ensure that they are equitably represented.

Article 10

Equal rights in education

Women have equal rights to education including vocational training and guidance, continuing education, sport and scholarships in urban and rural areas. The content of the curriculum should prevent the repetition of negative stereotypes and sexual health education should be available. 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 and in particular to ensure, on a basis of equality of men and women.

To achieve this the States shall ensure:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same Opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11

Employment

Women have the right to work, employment opportunities, equal remuneration, free choice of profession and employment, social security, and protection of health. Discrimination on the grounds of marriage, pregnancy, childbirth and childcare is prohibited. To actualize this the States shall do the following:

1. Take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
 - (a) The right to work as an inalienable right of all human beings;
 - (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
 - (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
 - (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
 - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
2. Prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

Article 12

Health care and Family planning

Women have equal rights to access health care including sexual health, family planning services and pre and post-natal care. This will then give them an opportunity to pursue their education without much hindrances.

Article 13

Economic and Social benefits

Women have equal rights to family benefits, financial credit and to participate in recreational activities, sports and cultural life. States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life such as the right to bank loans, mortgages and other forms of financial credit which will enable women meet their educational needs.

Article 14

Rural women

States Parties shall take into account the particular problems faced by rural women and ensure that the rural women's right to adequate living conditions, participation in development planning, and access to education, healthcare, transport and financial services are not violated.

Article 15

Equality before the law

Women are to be treated as equal before the law. Women have the legal right to enter contracts, own property and to choose where to live.

States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16

Marriage and family

Women have equal rights with men within marriage including family planning, property ownership and occupation.

States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: In this context, State parties shall protect girls from early or forced marriage and enforce the legal provision on the age of majority as internationally recognized. This is a major challenge to girls' access to, retention and completion of their education. This envisages:

- a. The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

- b. The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- c. The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- d. The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;



On-line version:

<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>



Related Legal Instruments:

- Declaration on the Elimination of Discrimination against Women
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

(f) Convention on the Rights of the Child (CRC)

Type of Instrument: Convention	Region: International	Organisation: United Nations (UN)
Status: 195 State parties Agreement enforced by International Law	Structure: Preamble, 3 Parts and 54 Articles	Date of adoption/ entry into force: Adopted on 20 November 1989 Entry into force 2 September 1990

Description:

The CRC comprises principles for the implementation of the rights of the child. It was adopted by the UN General Assembly on 20th November 1989 and entered into force on 2 September 1990. It has been ratified by 195 countries, which makes it the most widely ratified international human rights treaty in history. Only one country is yet to ratify this treaty – the United States of America. The Convention includes the principle of non-discrimination, the best interests of the child, the child's right to life, survival and development, and the child's right to express opinions all of which are relevant to education.

The Committee on the Rights of the Child is the body responsible for monitoring the implementation of the Convention by the States Parties. It affirms the right of every child to education, the girl child included as provided for under its Articles **3, 13, 17, 22, 23, 28, 29, 32, 33 and 39**.

The Instrument:

It recognizes the inherent dignity, equal and inalienability of rights of all members of the human family as the foundation of freedom, justice and peace in the world. This recognition is realized through education hence, the importance for girls and women to have quality education. Key articles on education are:

Article 3

Mandates that in all actions concerning a child, their best interests is of paramount consideration.

Article 13

Decrees that a child shall have the right to seek, receive and impart information and ideas of all kinds either orally, in writing or in print or any other media of the child's choice.

Article 17

Obligates State parties to ensure that children have access to information and to this end, State Parties shall encourage the production and dissemination of children's books and encourage mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous.

Article 22

Obligates State Parties to take appropriate measures to ensure that a child who seeks refugee status or is considered a refugee receives protection and humanitarian assistance in the enjoyment of the rights set forth under this convention and this includes the right to education.

Article 23

This article recognizes the special needs of disabled children and requires State Parties to offer them free assistance to ensure that they have access to and receive education. State parties are also obligated to promote in the spirit of international cooperation, the exchange of appropriate information on education and vocational services.

Article 28

State parties are required to recognize the right of the child to education and expected to take following measures for its realization:

- a. Make primary education free and compulsory.
- b. Develop different forms of secondary education including general and vocational education.
- c. Make higher education accessible to all on the basis of capacity.
- d. Make educational and vocational information and guidance accessible to all children.
- e. Encourage regular attendance at school and reduction in drop-out rates.

State parties are mandated to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the Convention.

State Parties also undertake to encourage international cooperation in matters relating to education in order to eliminate ignorance and illiteracy throughout the world.

Article 29

Education must be directed to development of the child holistically in terms of personality, talent, mental and physical abilities to the fullest potential. The education must take cognizance of respect for human rights and fundamental freedoms. It must respect a child's parents, cultural identity, language and values of both country of origin and residence of the child

Article 32

Protection of children from exploitation and child labour that may hinder a child's education or health, mental, physical, or social wellbeing in the society.

State parties are mandated to minimum age of employment and provide appropriate regulations of hours and conditions of employment as well as penalties for violations of minimum standards that protect children from exploitation and child labour

Article 33

State parties to take stringent measures to protect children from drug abuse and psychotropic substance as well as use of children in illicit production and trafficking of substances that hinders their education.

Article 39

State parties are mandated to take appropriate measure to promote physical and psychological recovery and social reintegration of children subjected to abuse. Such undertaking must be done in an environment that fosters health, self-respect and dignity of the child.

**On-line version:**

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

**Related Legal Instruments:**

- Optional Protocol on a Communications Procedure to the Convention on the Rights of the Child

(g) Beijing Declaration and Platform for Action (BDPA)

Type of Instrument: Convention	Region: International	Organisation: United Nations (UN)
Status: Non-binding	Structure: Preamble, 6 Chapters and 361 Paragraphs	Date of adoption/ entry into force: Adopted on 15 September 1995

Description:

The Beijing Platform for Action, adopted at the UN's Fourth World Conference on Women in Beijing, China, on 15th September 1995, addresses, particularly, 12 critical areas of concern to women globally. The Declaration is an agenda for women's empowerment. It aims at removing all the obstacles to women's active participation in all spheres of public and private life through their full and equal share in economic, social, cultural and political decision-making. ***Education is a catalyst to removing all these barriers hence critical for women's holistic empowerment. The relevant paragraphs on education are: 69-88, 259, 261-269, 273-283, 285 and 345 which provide exclusively for the right of girls to education.***

The Instrument:

The Platform for Action takes cognizance of the critical role education plays in empowering women and calls for governments, international organizations and civil society organizations to take active roles in prioritizing education and eliminate obstacles to access thereto for girls and women. Relevant paragraphs are highlighted below:

B. Education and training of women

Para 69

Recognizes education as a human right and an essential tool for achieving the goals of equality, development and peace. It further advocates for non-discriminatory education which benefits both girls and boys and critical for more equal relationships between men and women. It is categorical that women's education is important for a family's health, nutrition, education and women's empowerment. It advocates for investing in formal and non-formal education and training for girls and women for achieving sustainable development and economic growth discussion,

Para 70

Takes cognizance of the progress made in access to primary, secondary and tertiary education but takes note of fact that despite progress, over 60 million girls and women are without primary education and that more than two thirds worlds' 960 Million illiterate adults are women. Illiteracy is an impediment to women's advancement.

Para 71

Acknowledges the persistent discrimination in girls access to education exacerbated by customs, early marriages and pregnancies, inadequate and gender-biased teaching and educational materials, sexual harassment and of adequate and accessible schooling facilities. The double role women and girls play i.e. education and domestic work is a hindrance to their performance in school and future lives.

Para 72

Advocates for an educational and social environment free from all from discrimination and gender stereotypes to eliminate inequalities between men and women.

Para 73

Promotes acquisition of knowledge and skills for women and girls beyond those acquired during youth through formal and informal education.

Para 74

Decries the gender bias in curricular and teaching materials which are insensitive to the specific needs of girls and women and reinforces traditional female and male roles. It recognizes that lack of sexual and reproductive health education has a profound impact on women and men.

Para 75

It encourages women and girls to study and participate in the application of Science and technology. This is important as it will provide knowledge they could apply to improve their daily lives and enhance their employment opportunities.

It further prepares them to take an active role in the technological and industrial development of their countries.

Para 76

Advocates for promotion of access and retention of girls and women at all levels of education and takes cognizance of the fact girls are concentrated in a limited number of fields of study

Para 77

Urges educators and governmental and non-governmental institutions to use mass media as an educational tool or instrument to advance women and development. Encourage use of media and technology for information dissemination with positive messages about women and girls.

Para 78

Acknowledges the insufficient resources allocation to girls and women's education in most countries and its implication on development particularly development of women

Para 79

Encourages government on measures to be taken to address unequal access to and inadequate educational opportunities through by gender mainstreaming in all policies and programmes.

Para 80

To ensure equal access to education government should do the following:

- Eliminate discrimination in education at all levels based on diverse grounds and put in place appropriate mechanism to address grievances
- Provide universal access to basic education and ensure completion and close gender gaps within specific timelines. This timelines were not met by most governments.
- Eliminate gender disparity in access to tertiary education by ensuring equal access to women through training, scholarship
- Create a gender-sensitive educational system to ensure equal opportunities for women to participate in educational administration/ policy and decision making.
- In collaboration with the various stakeholder in education, provide young women with technical training, career planning, leadership and social skills and work experience to facilitate their full participation in society.
- Increase enrolment and retention rates of girls by allocating sufficient funds to minimize the costs of girls' education to their parents and facilitate parents' ability to choose schools for the girl child that respect and promote human rights principles.
- Promote an educational setting that eliminates barriers that impede schooling of pregnant adolescents and young mothers and their reintegration to ensure their school completion

- Improve quality of education and equal opportunities for women and men to access education to acquire knowledge, capacities, aptitude, skills and ethical values requisite for development and participation thereof.
- Provide non-discriminatory and gender-sensitive professional schooling and career education programmes for girls to pursue academic and technical careers.

Para 81

To eradicate illiteracy among women, governments and other relevant stakeholders are required to undertake the following:

Reduce female illiteracy especially rural women , women IDPs and women with disability; provide universal access to primary education to girls and ensure gender equality in completion; eliminate the gender gap in basic and functional literacy; narrow gap between developing and developed countries, narrow disparities, encourage adult education to promote literacy for all; promote literacy, life skills and technological knowledge

Para 82

In order to improve women's access to vocational training, science and technology and continuing education, the Platform mandates government to cooperate with employers, NGOs and educational institutions.

To develop training and retraining that meet the market's needs; recognize non-formal education for girls and women education in the education system;

- Provide requisite information to women and girls on vocational training, programmes in science and technology and continuing education;
- Design training programmes for unemployed women to enhance employment opportunities and entrepreneurial skills;
- Improve access for an retention of girls and women in education and vocational training in sciences and technology and management training;
- Promote women's central role in food security and agricultural research and education programmes;
- Develop curricula and teaching and multidisciplinary courses for science and mathematics teachers to sensitize them on the relevance of science and technology to women;
- Ensure women's access to and participation in technical and scientific areas where they are inconspicuous or underrepresented;
- Develop programmes to encourage women to participate in apprenticeship programmes and increase training for women in technical, managerial, fisheries, industry and ensure their access to quality education.

Para 83

Puts emphasis on development of non-discriminatory education and training. It calls on government, educational authorities and academic institutions to :

- Develop curricula, text books and teaching materials free from gender biased stereotypes at all levels of education
- Develop training programmes and materials for teachers and educators that raise awareness on the status, role and contributions of women and men to promote gender equality including shared responsibility for household.
- Develop capacities for teachers and educators on gender to facilitate gender sensitive teaching
- Provide equal opportunities for female teachers and professors with a view to inspiring girls to go to and be retained in school
- Increase number of women teachers in policy and decision making positions at all levels of education and academic disciplines that are traditionally male-dominated like scientific and technological fields
- Support and develop gender studies and research at all levels in education
- Develop training programmes for women and encourage them to take leadership roles
- Develop human rights education programmes which integrate women's rights as human rights
- Remove legal, regulatory and social barriers on sexual and reproductive health education in formal education on women's health issues
- Provide accessible recreational and sports facilities which are sensitive to needs of women and girls
- Recognize and support the right of indigenous women and girls to education and promote multicultural approach to education that meets the needs of their needs
- Promote education, training and relevant information to rural and farming women through appropriate and affordable medium
- Provide non-formal education that help women realize their potentials on matters of health, micro-finance, agriculture and legal rights
- Remove barriers to access to formal education for pregnant adolescents and young mothers and support child care and support services.

Para 84

Requires governments to allocate sufficient resources and monitor the implementation of educational reforms. This is done through budgetary allocations and increasing funds for education and providing technical support for monitoring.

Para 85

It calls on governments, private and public institution, research and NGOs to mobilize resources to facilitate girls and women and men and boys to complete their education on equal basis. Emphasis is put on funding for programmes on mathematics, science and computer technology to advance women and girls

Para 86

Appeals to multilateral institutions and bilateral donors to increase funding for women and girls education and training; to work closely with the governments to ensure funding for women is maintained or increased in structural adjustment and economic recovery programmes.

Para 87

Calls upon international and intergovernmental organizations particularly UNESCO to contribute to the evaluation of progress made to eliminate differences between women and men and boys and girls in education and training in all fields and to provide technical assistance to strengthen capacity to monitor progress in closing the gender gap.

The institutions are also called upon to conduct campaigns promoting the right of women and girls to education and allocate substantial resources to basic education for girls and women.

Para 88

Requires government, educational and communities to promote life-long education and training for girls and women by ensuring availability of broad range of educational and training programmes that help women and girls acquire knowledge and skills required for living in, contributing and benefiting from communities.

The institutions are further called upon to provide support for child care to enable mothers continue with their school and create flexible education, training and programmes for life-long learning for women at all stages of their lives

Part L Dedicated to the Girl Child**Para 259**

Takes cognizance of the discrimination the girl child has to contend with from childhood notwithstanding its prohibition by the Convention on the Rights of the Child. These include: harmful traditional practices such as forced or early marriage, son preference, female genital mutilation, sexual abuse among others. Such discrimination jeopardizes the girls live

Para 261

Acknowledges that gender-biased educational processes, curricula and educational materials and practice reinforce gender inequalities

Para 262

Encourages women and men to work together with children and youth to break gender stereotypes that is amplified by parents, teachers and the media on the gender roles.

Para 263

Categorical that the girls' performance and success in completion is militated by customary attitudes, early marriage lack of funds, inadequate schooling facilities, teenage pregnancies and gender inequalities. It asserts that shortage of female teachers inhibit enrolment of girls. It points to domestic responsibilities as a hindrance to girls good scholastic performance and contributes to early drop out.

Para 264

Recognizes the low percentage of girls enrolled in school in most countries and the fact that girls are not still given opportunities to pursue scientific and technological training and education. The platform posits that these limit employment opportunities for girls.

Para 265

Girls are not encouraged to participate in social, economic and political spheres in society and thus absent in key decision making processes.

Para 266

Takes note of the existing discrimination of the girl child in access to nutrition and physical and mental health as danger to the future health of girls.

Para 267

Makes cross references to other international instruments such all International Conference on Population and Development (ICPD), CRC and CEDAW on adolescents reproductive health, best interest of the child and elimination of discrimination against women. In particular in it encourages support for integral sexual education for young people with parental support and guidance that stresses the responsibility of males for their own sexuality and fertility and that help them exercise their responsibilities.

Para 268

Acknowledges that the tender age at which girls get pregnant and the complications associated with such pregnancies at age 15 to 19 during delivery and risks of maternal death as well as morbidity and mortality. Early child bearing is an impediment to a girl's education and limits economic and social status of women. Early marriage and early motherhood identified as factors that curtail a woman's education and employment opportunities and affects their quality of life.

Para 269

Recognizes the vulnerability of girls to premature unprotected and sexual relations that expose them to HIV/AIDS and sexually transmitted diseases. Lack of protective laws or poor enforcement thereof, coupled with social pressures have exposed girls to all manner of violence such as sexual violence and exploitation, trafficking and forced labour among others.

Para 273

Governments called upon to adopt a gender perspective in developing policies and programmes that address issues of the youth and children.

Para 274 and 275 addresses issues that governments and international community are required to undertake to eliminate all forms of discrimination against the girl child.

Para 274

Governments are called upon to enact and enforce laws that only allows marriage where there is free and full consent of the spouses and strictly spell out the minimum age of marriage. Develop and implement policies that promotes advancement of girl child in development processes and collect data disaggregated by sex and age of children on matters of health and education to inform gender perspective in programming.

Para 275

Governments, international and NGOs are required to undertake evidenced research on the situation of girls for purposes of developing policies for targeted at the advancement of girls. Additionally, they are expected support enforcement of laws on minimum age of marriage to ensure girls get educational opportunities.

Para 276 and 277 are concerned with elimination of negative cultural attitudes and practices against girls and spell out what government, international and NGOs are required to do to achieve these.

Para 276

Calls upon governments to do the following:

- Encourage and support NGOs and CBOs in their efforts to promote changes in negative attitudes and practices towards girls;
- Establish educational programmes and teaching materials that provide information on harmful traditional practices and their effects on the girl child;
- Develop and adopt curricula, teaching materials and text books that are gender sensitive and improve the self-image of the girls in areas where they are underrepresented- mathematics, science and technology;
- Ensure that tradition and religion is not invoked to justify discrimination against girls.

Para 277

Makes appeal to governments and, international and non-governmental organizations to:

- Promote an educational setting that eliminates all barriers that impedes the schooling of married or pregnant girls and provide affordable and accessible child care facilities that allows such girls to return to school;
- Encourage educational institutions and the media to adopt and project non-stereotyped images of girls and boys;

- Develop programmes and policies that prioritizes formal and informal education that support girls to acquire knowledge and self-esteem. Educate parents on the importance of girls' physical and mental health and well-being and need to eliminate the sexual violence, marriage and FGM among others.

To promote and protect the rights of the girl child and increase awareness of her needs and potentials the relevant institutions are tasked with various activities.

Para 278

Governments and international and NGOs are tasked to do the following:

- Make the girl child aware of her potentials and educate her on her legal rights guaranteed under international instruments and the measure taken by the various agencies to improve her status;
- Educate women, men, girls and boys to promote rights of girls and how to behave respectfully towards each other.

Para 279

Mandates Governments to do the following:

- Ensure universal and equal access to and completion of primary education by all children and close the gender gap in education between boys and girls;
- To integrate functional literacy programmes for out of school girls in development programmes;
- Promote human rights education in educational programmes with emphasis of the inalienability, indivisibility and universality of rights of the girl child;
- Increase enrolment and retention rates of girls through budgetary allocations and support parents and community through fixable school schedules, scholarships and programmes for out- of -school girls;
- Develop training programmes and materials for teachers and educators that raise awareness of their own roles in providing gender sensitive teaching;
- Ensure that female teachers and professors have same possibilities and status as male teachers and professors.

Para 280

Obligates government and international and NGOs to:

- Provide education and skills training to increase girls opportunities for employment and decision making processes
- Provide education to increase girls knowledge and skills to enable her participate economic, financial and political systems

- Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life
- Promote the full and equal participation of girls in extra-curricular activities, such as sports, drama and cultural activities.

To eliminate discrimination against girls in health and nutrition in the following actions are proposed.

Para 281

Government, international and NGOs are required to

- Establish peer education and outreach programmes to strengthen individual and collective action to reduce girls vulnerability to HIV/AIDs and STI
- Ensure education and dissemination of information to adolescent girls on their physiology, reproduction, reproductive and sexual health.

In eliminating economic exploitation of child labour and protecting young girls at work, governments, international and non-governmental organizations specific actions to deal are imposed.

Para 282

Mandates the Governments to undertake the following:

- Protect children from economic exploitation and performance hazardous or harmful work that may interfere with the child's education or endanger the child's well-being.
- Define with clarity the minimum age for a child's admission to employment in tandem with the existing international labour standards and the Convention on the Rights of the Child.
- Protect girls at work by setting the minimum age for admission to employment, strict monitoring of work conditions, application of social security coverage, and establishing continuous education and training.
- Strengthen legislation governing work of children and provide stiffer penalties or sanctions where there is a violation.

Para 283

Governments, international and NGOs are required to enact and enforce law to protect girls from violence and eliminate sexual harassment of girls in educational and other institutions, take appropriate legislative, administrative, social and educational measures to protect the girl child from violence in the household and society in general. Additionally undertake gender sensitization training for those involved in healing and rehabilitation of girls subjected to violence and offer support to the girls.

To strengthen the role of the family in improving the status of the girl child various agencies are tasked with duties to actualize this.

Para 285

Obligates governments in cooperation with NGOs to formulate policies and programmes to help families in its supporting, educating and nurturing roles and eliminate discrimination against the girl child in the family; strengthen families to protect, respect and promote potential of the girl child; and educate and encourage parents and care givers to treat girls and boys equally including ensuring shared responsibilities between them

Para 345

Decries the insufficient financial and human resources for the advancement of women. Recognizes that political will and commitment is imperative to ensure human and financial resources are made available for women's empowerment. It calls for integration of a gender perspective in budgetary decisions on policies and adequate finances for securing gender equality. For effective implementation, it advocates for mobilization of resources from public and private sector.



On-line version:

<http://www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en>



Related Legal Instruments:

- Vienna Declaration and Programme for Action
- Political Declaration (Resolution adopted by the General Assembly [on the report of the Ad Hoc Committee of the Whole of the Twenty-third Special Session of the General Assembly (A/S-23/10/Rev.1)])

(h) Nairobi Forward-looking Strategies for the Advancement of Women

Type of Instrument:	Region: International	Organisation: United Nations (UN)
Status: Non-binding	Structure: Introduction, 5 Chapters and 372 Paragraphs	Date of adoption/ entry into force: Adopted on 26 July 1985

Description:

The Nairobi Forward-looking Strategies for the Advancement of Women was adopted on the 26th of July 1985 during the UN World Conference to review and appraise the achievements of the United Nations Decade for Women: Equality, Development and Peace. It urges member states to take constitutional and legal steps to eliminate all forms of discrimination against women, and tailor national strategies to facilitate the participation of women in efforts to promote peace and development. At the same time, it contains specific recommendations for gender empowerment in regard to health, education and employment. ***More specifically on education this instrument provides for the girl child's right to education under paragraphs 25, 33, 53, 54, 69, 81-83, 163-173, 200, 268 and 287.***

The Instrument:

Recognizes that women's advancement were constrained by the political, legal, education and religious conditions that exacerbated economic exploitation, marginalization and oppression of women at family, community, national and international levels which reproduce inequalities between men and women. Education for girls and women becomes paramount in alleviating oppression and inequalities if well implemented. Relevant paragraphs on education are:

Para 25

Takes cognizance that slow growth of global economy has negative implications for women's advancement. The competition for the scarce resources may shift priorities and relegate women's issues to periphery postponing their need to increase their illiteracy rate, low level of education and discrimination in employment. It roots for a pattern of development promoting equitable growth on the basis of justice and equality in international economic relations that can make a significant improvement on women's status while enhancing women's effective contribution to development and peace.

Para 33

Acknowledges that major measure have to be taken to integrate women in political life and policy making to improve their participation. Encourages women to forge a common ground for agitating for unity to help each other change their status and gain entry to greater political participation. It also calls on improvements in health and educational status and networking of women for effective political participation.

Para 53

Advocates for changes in social and economic structures to promote full equality of women and recognize women as active agents and beneficiaries development. Calls for elimination of discrimination in education, training and employment.

Para 54

Calls upon governments to ensure both women and men equality before the law, equality in educational opportunities and training, health services and equality in conditions and opportunities of employment including remuneration. Marital status must not be used as a ground to deny women equal employment conditions of employment and other economic activities.

Para 69 10b/

Advocates for equality of women and men in all fields of work equal access to all positions in employment, equal pay for work, equal opportunities for education and vocational training. Requires governments to develop legislation that protects women at work and need for shared responsibilities at the domestic front.

Para 81

Advocates for promotion of research to help identify discriminatory practices in education and training to ensure equality. A key priority area identified for research is impact of sexual discrimination on development of human resource.

Para 82

Urges governments and private institutions to include in education curricula courses on women's history and roles to promote research in women's studies through collaborative research.

Para 83

Advocates for gender sensitive teaching methods that demonstrates equality of sexes. Calls for textbooks and teaching materials to reflect positive images of women and show men too as actively involved in family responsibilities.

Education**Para 163**

Recognizes education as a basis for the full promotion and improvement of the status of women. It considers education as a basic tool women should be given to fulfill their role as full members of society. Government is called upon to strengthen participation of women at all levels of the national educational policy in formulating and implementing plans, programmes and projects. Further encourages governments to adopt special measures to increase equal access to scientific, technical and vocational education for young women, and evaluate progress made by the poorest women in urban and rural areas.

Para 164

Calls upon governments and international organizations particularly UNESCO to eliminate the illiteracy rates, with support from international community. It encourages efforts to promote functional literacy on health, nutrition and viable economic skills and opportunities to eradicate illiteracy among women and produce additional materials for eradication of illiteracy. It also advocates for initiation of legal literacy programmes in low income urban and rural areas. Recognizes the importance of education among women for the general welfare of the society, its link to child survival and child spacing.

Para 165

Calls for measures to address the high causes of absenteeism and drop out of girls in the educational system. It encourages developing, strengthening, implementing and creating incentives that provide women with equal opportunity to acquire education at all levels and apply their education in a work or career context. Other measures encouraged include: strengthening communication and information systems and implementing appropriate legislation and reorientation of educational personnel. Government is called upon to encourage and finance adult education programmes for women who do not complete or forced to interrupt their studies as a result family responsibilities, lack of financial resources or early pregnancies.

Para 166

Advocates for equitable distribution of scholarships and other forms of support from government, non-governmental organization and private sector to both girls and boys. Recommends that Boarding and lodging facilities are equally accessible to girls and boys.

Para 167

Routes for review of the curricula in public and private schools, textbooks and other educational materials. Additionally, educational personnel should be retrained to eliminate all discriminatory and gender stereotyping in education. Educational institutions are encouraged to include studies on women's contributions to all development projects.

Para 168

Acknowledges that rise of centers and programmes of women studies and calls for developing scholarships and a body of knowledge on women's studies. Advocates for development of women studies to reformulate current models influencing knowledge and sustaining a value system that reinforce inequality to create a just and equitable society

Para 169

Makes provision for incentives and counseling services for girls to study scientific, technical and managerial subjects at all levels to develop and enhance the aptitudes of women for decision-making, management and leadership.

Para 170

Vouches for flexibility and accessibility educational and occupational training for both men and women that improve employment possibilities and promotion prospects for women in technological fields and vocational training. Trade unions and work associations are encouraged to emphasize the importance of equal opportunities for women at work and work related activities.

Para 171

Decries the current educational system that is sharply divided by sex, girls receiving home economics and boys in technical subjects and calls for vocational training centers to be opened to girls and women to discontinue the segregation in the training system. Calls for measure to diversify women's vocational education and training to for purposes of extending their employment opportunities in non-traditional occupations to women or those that are important to development

Para 172

Advocates for a fully integrated system of training, having direct linkages with employment needs, pertinent to future employment and development trends in order to avoid wastage of human resources.

Paragraph 173

Stipulates that educational programmes should enable men to assume as much responsibility as women in the upbringing of children and the maintenance of the household should be introduced at all levels of the educational system. It encourages shared responsibility at the household levels between men and women.

Science and technology**Para 200**

Encourages the enhancement of women's full and effective participation in the decision-making and implementation process related to science and technology and setting priorities for research and development, acquisition adaptation, innovation and application of science and technology for development. Governments are called upon to reassess their technological capabilities and monitor processes of change to improve any adverse effects on women particularly on job quality

Para 201

Routes for women's involvement in all peaceful uses of the outer space and their integration in all decision-making and implementation of such activities. Governments and NGOs are called upon to provide women and women's organization with information on peaceful uses of outer space and facilitate women to obtain advanced education and training in areas related to outer space. This is important for expansion of their participation in the application of the outer space technology for peaceful uses in high development areas of water, health, energy, food production and nutrition. It promotes increasing opportunities for women to study science, mathematics and engineering at the university level and girls to study mathematics and science at the pre-university level.

Para 202

Advocates for women with appropriate skills to be employed at managerial and professional levels and not restricted to service-level jobs. Also calls for measures to be taken to improve working conditions for women in the science and technology fields, to eliminate discriminatory classification of jobs and to protect the right of women to promotion. Efforts should be made to ensure that women obtain their fair share of jobs at all levels in new technology industries.

Para 203

Major efforts should be undertaken and effective incentives created to increase the access of women to both scientific and technological education and training. Calls upon governments and women to make efforts to enhance, where necessary, the change of attitudes towards women's performance in scientific fields.

Paragraph 204

The potential and actual impact of science and technology on the developments that affect women's integration into the various sectors of the economy, as well as on their health, income and status, should be assessed. Relevant findings should be integrated in policy formulation to ensure that women benefit fully from available technologies and that any adverse effects are minimized.

Paragraph 205

Routes for more efforts in the design and delivery of appropriate technology to women to be intensified, and attention given to the achievement of the best possible standard in such technologies. In particular, the implications of advances in medical technology for women should be carefully examined.

Paragraph 268

Promotes encouragement and financial support for women to take university courses in government, international relations and diplomacy in order to obtain the necessary professional qualifications for careers in fields relating to peace and international security.

Para 285

Encourages women to acquire professional careers in peace and international security, government organize multi-sectoral programmes with emphasis on economic activities, elimination of discrimination and the provision of supportive services. Others include provision adequate child-care facilities and, where necessary, workplace canteens to enable women to gain access to economic, social and educational opportunities on an equal basis with men. Particular attention should be devoted to the informal sector, which constitutes a major outlet for employment of a considerable number of urban poor women.

D. Young women

Para 287

Initiatives begun for the 1985 International Youth Year should be extended and expanded so that young women are protected from abuse and exploitation and assisted to develop their full potential. Girls and boys must be provided with equal access to health, education and employment to equip them for adult life. Both girls and boys should be educated to accept equal responsibilities for parenthood.

Urgent attention should be paid to the educational and vocational training of young women in all fields of occupation, giving particular emphasis to those who are socially and economically disadvantaged. Self-employed young women and girls should be assisted to organize co-operatives and ongoing training programmes to improve their skills in production, marketing and management techniques. Special retraining programmes should also be developed for teenage mothers and girls who have dropped out of school and are ill equipped to enter productive employment.

Steps should be taken to eliminate exploitative treatment of young women at work in line with ILO Convention No. 111 concerning discrimination in respect of employment and occupation, 1958 and ILO Convention No. 122 concerning employment policy, 1964. Legislative measures guaranteeing young women their rights should be enforced.

Governments should recognize and enforce the rights of young women to be free from sexual violence, sexual harassment and sexual exploitation. In particular, Governments should recognize that many young women are victims of incest and sexual abuse in the family, and should take steps to assist the victims and to prevent such abuse by education, by improving the status of women and by appropriate action against offenders. Young women should be educated to assert their rights. Particular attention should also be given to sexual harassment and exploitation in employment, especially those areas of employment such as domestic service, where sexual harassment and exploitation are most prevalent.

Governments must also recognize their obligation to provide housing for young women who because of unemployment and low incomes suffer special problems in obtaining housing. Homeless young women are particularly vulnerable to sexual exploitation.

In the year 2000 women aged 15-24 will constitute over 8 per cent of both rural and urban populations in developing countries. The great majority of these women will be out of school and in search of jobs. For those employed, frequent exploitation, long working hours and stress pregnancies are also aggravating factors.



On-line version:

<http://www.un.org/womenwatch/confer/nfls/Nairobi1985report.txt>



Related Legal Instruments:

- Resolution on Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (Resolution Adopted By The General Assembly [on the report of the Third Committee (A/48/629)])
- Resolution on Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (Resolution Adopted By The General Assembly [on the report of the Third Committee (A/49/607)])
- Report of the Secretary-General on Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000
- Monitoring The Implementation Of The Nairobi Forward-Looking Strategies For The Advancement Of Women: Second review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (E/CN.6/1995/3/Add.2)

(i) The 2030 Agenda for Sustainable Development

Type of Instrument: Agenda	Region: International	Organization: United Nations (UN)
Status: Non-binding	Structure: Preamble, and 91 Paragraphs	Date of adoption/ entry into force: Adopted on 25 September 2015 Entered into force on 1 January 2016

Description:

The Sustainable Development goals (SDGs) are successors to the 'Millennium Development Goals (MDGs)'. The MDGs expired at the end of 2015. During 25-27 September 2015, the member states of the United Nations converged in New York for the United Nations (UN) Summit on Sustainable Development and adopted the new global goals for sustainable development. The world leaders pledged their commitment to the new '2030 Agenda for Sustainable Development' which encompasses 17 universal and transformative SDGs with 169 targets. The Agenda is a plan of action for people, planet and prosperity. It seeks to strengthen universal peace and larger freedom. It further recognizes that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development. One sure way of achieving this is through education which is provided for under Goal 4.

The Instrument:

This instrument has 17 goals even though Goal 4 is dedicated to education the rest of the 16 goals are hinged on education because without education they cannot be achieved. Education cuts across all the sectors as a basic foundation.

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes

4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and preprimary education so that they are ready for primary education

4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university

4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship

4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations

4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy

4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development

4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, nonviolent, inclusive and effective learning environments for all

4.b By 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries

4.c By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.

**On-line version:**

http://www.un.org/pga/wp-content/uploads/sites/3/2015/08/120815_outcome-document-of-Summit-for-adoption-of-the-post-2015-development-agenda.pdf

**Related instruments:**

- Millennium Development Goals (MDGs)



**Je suis une fille, aller à
l'école est mon droit**

**I am a girl, going to
school is my right**

B. African Union Instruments

(a) African Charter on Human and Peoples Rights

Type of Instrument: Charter	Region: Africa	Organisation: African Union (AU)
Status: 53 State parties Agreement enforced by International Law	Structure: Preamble, 3 Parts, 4 Chapters 68 Articles	Date of adoption/ entry into force: Adopted on 27 June 1981 Entry into force 21 October 1986

Description:

The African Charter on Human and Peoples' Rights, also known as the Banjul Charter, is an international human rights instrument that is intended to promote and protect human rights and basic freedoms in the African continent, **including the right to education under Article 17** together with an overarching prohibition on discrimination under Article 2. It was adopted in Nairobi on 27th June 1981 and subsequently entered into force on 21st October 1986.

The Instrument:

The instrument is conscious of Africa's liberation, however acknowledges the struggle for dignity and genuine independence, and the strive to eliminate colonialism, neo-colonialism, apartheid, zionism and to dismantle aggressive foreign military bases and all forms of discrimination, language, religion or political opinions. Education of girls and women is the key to liberation for Africa as they bear the brunt of all these injustices as compared to men.

Article 17

1. Every individual shall have the right to education
2. Every individual may freely take part in the cultural life of his community.
3. The promotion and protection of morals and traditional values recognized by the community shall be the duty of the State.



On-line version:

<http://www.achpr.org/instruments/achpr/>



Related Legal Instruments:

- Protocol to the African Charter On Human And Peoples' Rights on the Rights of Women in Africa

(b) African Charter on the Rights and Welfare of the Child (ACRWC)

Type of Instrument: Charter	Region: Africa	Organisation: African Union (AU)
Status: Binding	Structure: Preamble, 2 Parts, 4 Chapters and 48 Articles	Date of adoption/ entry into force: Adopted on 11 July 1990 Entered into force 29 November 1999

Description:

The African Charter on the Rights and Welfare of the Child (ACRWC) was adopted on 11 July 1990 during the 26th Assembly of Heads of State and Governments of the Organization of African Unity (now African Union) in Addis Ababa, Ethiopia. It subsequently entered into force on 29 November 1999. It is the first mechanism to receive a mandate to monitor the implementation process of an international children's rights instrument. Of importance to **this Compendium is Article 11 of this instrument which provides for the right to education**

The Instrument:

The instrument takes note that most African children situations remain critical due to the unique factors of their socio-economic, cultural, traditional and developmental circumstances, natural disasters, armed conflicts, exploitation and hunger, and on account of the child's physical and mental immaturity he/she needs special safeguards and care. That the child occupies a unique and privileged position in the African society and that for the full and harmonious development of his personality, the child should grow up in a family environment in an atmosphere of happiness, love and understanding. Such an environment is only feasible where the right to education is prioritized for girls and women who are unfairly disadvantaged by the society.

Article 11: Education

1. Every child shall have the right to education.
2. The education of the child shall be directed to:
 1. the promotion and development of the child's personality, talents and mental and physical abilities to their fullest potential;
 2. fostering respect for human rights and fundamental freedoms with particular reference to those set out in the provisions of various African instruments on human and peoples' rights and international human rights declarations and conventions;
 3. the preservation and strengthening of positive African morals, traditional values and cultures;
 4. the preparation of the child for responsible life in a free society, in the spirit of understanding, tolerance, dialogue, mutual respect and friendship among all peoples, ethnic, tribal and religious groups;

5. the preservation of national independence and territorial integrity;
 6. the promotion and achievement of African Unity and Solidarity;
 7. the development of respect for the environment and natural resources;
 8. the promotion of the child's understanding of primary health care.
3. State Parties to the present Charter shall take all appropriate measures with a view to achieving the full realization of this right and shall in particular:
1. provide free and compulsory basic education
 2. encourage the development of secondary education in its different forms and progressively make it free and accessible to all;
 3. make higher education accessible to all on the basis of capacity and ability by every appropriate means;
 4. take measures to encourage regular attendance at schools and the reduction of drop-out rates;
 5. take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.
4. State Parties to the present Charter shall respect the rights and duties of parents, and where applicable, of legal guardians, to choose for their children schools other than those established by public authorities, which conform to such minimum standards as approved by the State, to ensure the religious and moral education of the child in a manner consistent with the evolving capacities of the child.
5. State Parties to the present Charter shall take all appropriate measures to ensure that a child who is subjected to schools or parental discipline shall be treated with humanity and with respect for the inherent dignity of the child and in conformity with the present Charter.
6. State Parties to the present Charter shall take all appropriate measures to ensure that children who become pregnant before completing their education shall have an opportunity to continue their education on the basis of their individual ability.
7. No part of this Article shall be construed as to interfere with the liberty of individuals and bodies to establish and direct educational institutions subject to the observance of the principles set out in Paragraph I of this Article and the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the States.



On-line version:

<http://www.achpr.org/instruments/child/>

(c) Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa

Type of Instrument: Protocol	Region: Africa	Organization: African Union (AU)
Status: 36 State parties Agreement enforced by International Law	Structure: Preamble and 32 Articles	Date of adoption/ entry into force: Adopted on 11 June 2003 Entry into force 25 November 2005

Description:

The African Union (AU) member states adopted the Protocol on 11 July 2003 at its second summit in Maputo, Mozambique. After having been ratified by the required 15 Member States of the AU, the Protocol entered into force on 25th November 2005. This instrument is central in promoting the progression of women on all fronts, one key front being providing for their rights to education.

The Instrument:

It acknowledges that despite the ratification of the African Charter on Human and Peoples' Rights and other international human rights instruments by the majority of States Parties, and their solemn commitment to eliminate all forms of discrimination and harmful practices against women, women in Africa still continue to be victims of discrimination and harmful practices. It calls for condemnation and elimination of all practices that hinder and endangers the normal growth and affects the physical and psychological development of women and girls. One of the key drivers for elimination is education of girls and women. ***Even though only one article focuses majorly on education (Article 12), this instrument promotes education on the basis of the principles of non-discrimination and equal opportunity. It is a catalyst to the achievements to the realization of the rest of the rights contained in the Protocol.*** The 32 Articles of the Protocol covers social, economic and political rights of women and girls as well actions and measures to be taken by Member States to realize these rights

Article 12

Right to Education and Training

1. States Parties shall take all appropriate measures to:
 - a) eliminate all forms of discrimination against women and guarantee equal opportunity and access in the sphere of education and training;
 - b) eliminate all stereotypes in textbooks, syllabuses and the media, that perpetuate such discrimination;

- protect women, especially the girl-child from all forms of abuse, including sexual harassment in schools and other educational institutions and provide for sanctions against the perpetrators of such practices;
- provide access to counselling and rehabilitation services to women who suffer abuses and sexual harassment;
- integrate gender sensitisation and human rights education at all levels of education curricula including teacher training.

2. States Parties shall take specific positive action to:

- a) promote literacy among women;
- b) promote education and training for women at all levels and in all disciplines, particularly in the fields of science and technology;
- c) promote the enrolment and retention of girls in schools and other training institutions and the organisation of programmes for women who leave school prematurely.



On-line version:

<http://www.achpr.org/instruments/women-protocol/>



Related Legal Instruments:

- The African Charter on Human And Peoples' Rights

(d) Solemn Declaration On Gender Equality In Africa (SDGEA)

Type of Instrument: Declaration	Region: Africa	Organization: African Union (AU)
Status: Non-binding	Structure: Preamble, 13 paragraphs	Date of adoption/ entry into force: July 2004

Description:

This instrument was adopted by the African Union (AU) Assembly in 2004, urging member states' continual action toward achieving gender equality and reinforcing their commitment to international and regional women's rights instruments.

In addition to calling for wider ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, it also addresses state responsibility for tackling violence against women and gender-based discrimination even in the education sector. The relevant provisions to this Compendium are paragraphs 6,8, and 12.

The Instrument:

Paragraph 6

Ensure the active promotion and protection of all human rights for women and girls including the right to development by raising awareness or by legislation where necessary;

Paragraph 8

Take specific measures to ensure the education of girls and literacy of women, especially in the rural areas, to achieve the goal of "Education for All" (EFA);

Paragraph 12

Reporting formats and procedure on progress and challenges of implementing the Declaration as well the Maputo Protocol during ordinary summit.



On-line version:

https://www.mrfcj.org/pdf/Solemn_Declaration_on_Gender_Equality_in_Africa.pdf



Related Instruments:

- African Gender Policy, 2009.
- Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 2003.

(e) African Youth Charter (AYC)

Type of Instrument: Charter	Region: Africa	Organization: African Union (AU)
Status: Binding	Structure: Preamble, 2 Parts, 31 Articles	Date of adoption/ entry into force: Adopted on 2 July 2006 Entered into force on 8 August 2009

Description:

The African Union (AU) adopted the African Youth Charter (AYC) on the 2nd July 2006 and it subsequently came into force on the 8 August 2009. The AYC provides a strategic framework for youth empowerment and development activities at continental, regional and national levels across Africa. It addresses key issues affecting youth, including employment, sustainable livelihoods, education, skills development, health, youth participation, national youth policy, peace and security, law enforcement, youth in the Diaspora and youth with disabilities.

The AYC provides an avenue for effective youth participation into the development process. It defines youths as people between the ages of 15-35 years. It was developed after research was conducted on the state of the African Youth, commissioned by the AU Commission. This instrument provides for the youth's right to education under Article 13 and this include the girl child.

The Instrument:

It acknowledges the progress achieved in eliminating gender discrimination, but takes cognizance of the obstacles that still prevent girls and women from fully participating in African society and calls upon Member States to reaffirm their support to advance the wellbeing of youth. It notes with concern the situation of African youth, many of whom are marginalized from mainstream society through inequalities in income, wealth and power, unemployment and underemployment, infected and affected by the HIV/AIDS pandemic, living in situations of poverty and hunger, experiencing illiteracy and poor quality educational systems, restricted access to health services and to information, exposure to violence including gender violence, engaging in armed conflicts and experiencing various forms of discrimination. Emphasizes on need for empowering the youth to take up their rightful place as active agents in decision-making and governance. The relevant provision is:

Article 13: Education and Skills Development

1. Every young person shall have the right to education of good quality.
2. The value of multiple forms of education, including formal, non-formal, informal, distance learning and life-long learning, to meet the diverse needs of young people shall be embraced.

3. The education of young people shall be directed to:
 - a) The promotion and holistic development of the young person's cognitive and creative and emotional abilities to their full potential;
 - b) Fostering respect for human rights and fundamental freedoms as set out in the provisions of the various African human and people's rights and international human rights declarations and conventions;
 - c) Preparing young people for responsible lives in free societies that promote peace, understanding, tolerance, dialogue, mutual respect and friendship among all nations and across all groupings of people;
 - d) The preservation and strengthening of positive African morals, traditional values and cultures and the development of national and African identity and pride;
 - e) The development of respect for the environment and natural resources;
 - f) The development of life skills to function effectively in society and include issues such as HIV/AIDS, reproductive health, substance abuse prevention and cultural practices that are harmful to the health of young girls and women as part of the education curricula;
4. States Parties shall take all appropriate measures with a view to achieving full realisation of this right and shall, in particular:
 - a) Provide free and compulsory basic education and take steps to minimise the indirect costs of education;
 - b) Make all forms of secondary education more readily available and accessible by all possible means including progressively free;
 - c) Take steps to encourage regular school attendance and reduce drop- out rates;
 - d) Strengthen participation in and the quality of training in science and technology;
 - e) Revitalise vocational education and training relevant to current and prospective employment opportunities and expand access by developing centres in rural and remote areas;
 - f) Make higher education equally accessible to all including establishing distance learning centres of excellence;
 - g) Avail multiple access points for education and skills development including opportunities outside of mainstream educational institutions e.g., workplace skills development, distance learning, adult literacy and national youth service programmes;
 - h) Ensure, where applicable, that girls and young women who become pregnant or married before completing their education shall have the opportunity to continue their education;

- i) Allocate resources to upgrade the quality of education delivered and ensure that it is relevant to the needs of contemporary society and engenders critical thinking rather than rote learning;
 - j) Adopt pedagogy that incorporates the benefits of and trains young people in the use of modern information and communication technology such that youth are better prepared for the world of work;
 - k) Encourage youth participation in community work as part of education to build a sense of civic duty;
 - l) Introduce scholarship and bursary programmes to encourage entry into post-primary school education and into higher education outstanding youth from disadvantaged communities, especially young girls;
 - m) Establish and encourage participation of all young men and young women in sport, cultural and recreational activities as part of holistic development;
 - n) Promote culturally appropriate, age specific sexuality and responsible parenthood education;
 - o) Promote the equivalence of degrees between African educational institutions to enable the youth to study and work in State Parties;
 - p) Adopt preferential recruitment policies for African youth with specialised skills amongst States Parties.
5. Youth are determined to transform the continent in the fields of science and technology. Therefore they are committed to:
- a) Promoting and using science and technology in Africa;
 - b) Conducting research towards science and technology.
6. State Parties should encourage youth to conduct research. In this regard, an African discoveries day should be established along with mechanism of awarding prizes at the continental level.
7. Enterprises that are located in Africa should establish partnerships with training institutions to contribute to technology transfer for the benefit of African students and researchers.



On-line version:

http://pages.au.int/sites/default/files/African%20Youth%20Charter%20English_0.pdf

(f) The African Women's Decade 2010-2020

Type of Instrument: Implementation Framework	Region: Africa	Organisation: African Union (AU)
Status: 53 State parties Agreement enforced by International Law	Structure: 10 thematic areas	Date of adoption/ entry into force: 2009

Description:

This Framework was adopted by the Africa Union (AU) Assembly through Assembly Dec. 487 (XIX) which declared 2010 – 2020 as African Women's Decade (AWD). During their Extra-Ordinary Meeting held in Maseru, Lesotho in December 2008, the AU Ministers for Gender and Women's Affairs called on the African Union to declare 2010 – 2020 as African Women's Decade, and to undertake wide consultations to ensure that the Decade is a success.

The AWD is the Implementation Framework of the AU Gender Architecture and it aims to accelerate the implementation of global and continental policies on Gender Equality and Women's Empowerment.

The Theme 4 of the AWD focuses on Education; Science and Technology for Women and Girls

The Instrument:

- I. Achieve Parity in Education at secondary and tertiary levels and achieve higher retention rates for girls
- II. Increased literacy levels of women through adult education
- III. Contribution of Women Scientists and Information, Communication and Technology



On-line version:

<https://au.int/en/documents-43>



Related Instruments:

- Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 2003.
- Solemn Declaration on Gender Equality in Africa (2004)
- African Gender Policy, 2009.

(g) African Union Convention for The Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

Type of Instrument: Convention	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Preamble and 23 Articles	Date of adoption/ entry into force: 6 December 2012 Adopted on 23 October 2009

Description:

This instrument addresses internal displacement issues. The Convention entered into force with its fifteenth ratification on 6th December 2012. The Convention tackles major humanitarian, human rights, and development issues of internally displaced persons associated with conflict on the African continent.

The Instrument:

Although the instrument does not have specific clauses on education of girls and women, the Convention is premised on the concept of equality and non-discrimination. The most relevant provision to this Compendium is Article 9

Article 9(2)(a)

States are obligated to ensure that internally displaced persons are received, without discrimination of any kind and live in satisfactory conditions of safety, dignity and security.

Article 9(2)(b)

Guarantees the right to education to internally displaced persons, where states are mandated to ensure provision to the fullest extent practicable and with the least possible delay. The equality and non-discrimination principle entrusted in the Convention, ensures that States do not leave girls and women behind in educational development needs.



On-line version:

<https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>



Related Instruments:

- Guiding Principles on Internal Displacement E/CN.4/1998/53/Add.2 11 February 1998
- The Great Lakes Protocol on Internally Displaced Persons 2006

(h) Addis Ababa Declaration on Accelerating the Implementation of the Beijing Platform for Action

Type of Instrument: Declaration	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Preamble and 11 Articles	Date of adoption/ entry into force: Adopted on 19 November 2014

Description:

This Declaration addresses the necessity to implement the principles enshrined in the Beijing Platform for Action in connection to a post-2015 African development agenda. It underlines the need to ensure that growing and new challenges to gender equality must be addressed, and states must underline and enforce women's rights, adopt gender-sensitive planning, and demand accountability from other member states and organizations to achieve these goals.

Articles 1 and 2 of the instrument outline specific provisions for educating the girl child in a bid to advance women's progression in all spheres of life.

The Instrument:

It takes note of the uneven progress made in achieving gender equality and women's empowerment and the challenges that African countries continue to face in implementing the Beijing Platform for Action. While acknowledging that new challenges and emerging issues are arising, such as climate change, conflicts, HIV/AIDS, epidemics, human trafficking, child labour, religious extremism, terrorism, global economic and financial crises and increasing inequality, which threaten to set back progress made so far towards gender equality and the advancement of women and girls across the continent. It calls upon governments to commit to reporting on the implementation of commitments made at the national, regional and global levels in terms of gender equality and empowerment of women and strengthening of women's freedom in challenging harmful social and cultural norms and practices that impede women's ability to fully participate in and benefit from economic growth in Africa. The relevant provisions on education are:

1. Education and training

- (a) Undertake a comprehensive review and gender analysis of the education curriculum to make it more gender-responsive and remove stereotypes, in compliance with the African Union's Agenda 2063, which emphasizes the industrialization of the continent;
- (b) Adopt a multi-sectoral approach to address negative social and cultural norms and practices including harmful traditional practices such as early marriage that impede girls' retention and achievement at the primary, secondary, tertiary and vocational levels of education and training;
- (c) Promote retention, completion and transition by providing incentives such as free and compulsory primary and secondary education and subsidized higher and vocational education to consolidate gains made in gender parity at primary-school level;

- (d) Adopt and enforce legislation and other measures, including actions on age-appropriate sexuality and reproductive health training, to end teenage pregnancy, patriarchy, early and forced marriages and female genital mutilation;
- (e) Advocate for affirmative measures with a view to increasing the number of girls taking up science, technology, engineering and mathematics (STEM subjects) and ICT at the secondary, tertiary and higher levels;
- (f) Provide comprehensive and free early childhood development services as a preparatory phase for quality education for children's enrolment, retention and completion of the education cycle;
- (g) Adopt policies to allow pregnant girls to remain in school and return to school after delivery;
- (h) Create school environments that are girl-friendly and accessible, through measures that eradicate sexual harassment, kidnapping and trafficking and ensure improved security in schools, protective measures and adequate sanitation facilities;
- (i) Provide equitable, inclusive and quality education to ensure that girls with disabilities, orphans, vulnerable children and those in marginalized areas receive an education;
- (j) Implement literacy programmes for adult women and girls, and establish schools and alternative institutions for illiterate women and girls, boys and men.

2. The girl child

- (a) Continue to strengthen efforts to completely eliminate early child marriages by criminalizing the practice and enforcing the age of marriage of 18 for girls, in accordance with international norms and standards;
- (b) Criminalize all forms of female genital mutilation, early child and forced marriages, and other harmful traditional practices, and disallow judicial consent to marriage in sexual violence cases;
- (c) Align all laws and policies with the Convention on the Rights of the Child and the Maputo Protocol to the African Charter on Human and Peoples' Rights;
- (d) Adopt and enforce the International Labour Organization's conventions, recommendations and standards to protect girls from child labour;
- (e) Protect girls against all forms of exploitation, including trafficking and sexual slavery by armed groups.



On-line version:

<http://wgnrr.org/addis-ababa-declaration-on-accelerating-the-implementation-of-the-beijing-platform-for-action/>



Related Instruments:

- Beijing Declaration Platform for Action
- Declaration on 2015 Year of Women's Empowerment and Development Towards Africa's Agenda 2063

(i) African Union Agenda 2063

Type of Instrument: Agenda	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Preamble, 7 Aspirations	Date of adoption/ entry into force: Adopted on May 2013

Description:

Agenda 2063 is a strategic framework for the socioeconomic transformation of the continent over a fifty-year period. It builds on, and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development. It harnesses the continent's comparative advantages such as its people, history and cultures; its natural resources; its position and repositioning in the world to effect equitable and people-centred social, economic and technological transformation and the eradication of poverty.

It further seeks to fulfil Africa's obligation to her children as an intergenerational compact, to develop Africa's human capital; build social assets, infrastructure and public goods; empower women and youth; promote lasting peace and security; build effective developmental states and participatory and accountable institutions of governance. It is a call to action to all Africans and people of African descent, to take personal responsibility for the destiny of the continent and as the primary agents of change and transformation.

The Agenda foresees strengthening the role of Africa's women through ensuring gender equality and parity in all spheres of life, including education as illustrated in its aspirations. The specific provision on education is found in Aspiration 6 although education is a foundational goal for the realization of the rest of the Aspirations. "An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children."

A CALL TO ACTION

Agenda 2063 is a collective vision and roadmap for the next fifty years and therefore commit to speed-up actions in twelve (12) programmatic domains including Eradicate poverty in the

coming decades; Catalyze education and skills revolution and actively promote science, technology; Support young people as drivers of Africa's renaissance; Silence the guns by 2020, through enhanced dialogue-centred conflict prevention and resolution; Achieve gender parity in public and private institutions and Set up an implementation, monitoring, evaluation system, underpinned by accountability and transparency, to ensure the attainment of the Agenda 2063 Aspirations.



On-line version:

- <http://www.au.int/en/> , <http://agenda2063.au.int/>
- The first ten- year implementation plan of Agenda 2063
- Other Related Instruments

(j) Science, Technology and Innovation Strategy for Africa (STISA-2024)

Type of Instrument: Strategy	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Introduction, Strategic orientation, Implementation and funding mechanisms	Date of adoption/ entry into force: June 2014

Description:

The Strategy, laid out as a 10-year plan and adopted at the 23rd Ordinary Session of African Union Heads of State and Government Summit in June 2014, is aimed at promoting Science, Technology and Innovation as multi-function tools and enablers for achieving continental development goals. It focuses on six (6) priority areas and associated indicators of the Science, Technology and Innovation. The instrument does not make specific references to girls and women's education however, its gender-neutral approach neuters equitable integration of girls and women in science and technology fields.

The Instrument:

STISA underscores the impact that sciences can have across critical sectors such as agriculture, energy, environment, health, infrastructure development, mining, security and water among others. This strategy envisages an Africa whose transformation is led by innovation and which will create a Knowledge-based and Innovative-led Economy. STISA is anchored on six (6) priority areas namely:

Eradication of Hunger and Achieving Food Security

Prevention and Control of Diseases

Communication (Physical and Intellectual Mobility)

Protection of our Space

Living together in peace & harmony to build the society

Wealth Creation.

STISA strategy further defines four mutually reinforcing pillars which are prerequisite conditions for its success namely: building and/or upgrading research infrastructures; enhancing professional and technical competencies; promoting entrepreneurship and innovation; and providing an enabling environment for Science, Technology and Innovation (STI) development in the African continent.

These aspirations are only achievable through an integrated and efficient educational system which must include girls and women



On-line version:

https://au.int/sites/default/files/newsevents/workingdocuments/33178-wd-stisa-english_-_final.pdf



Related Legal Instruments:

Five-Year Science, Technology and Innovation Plan of Action 2019-2024

(k) Continental Education Strategy For Africa 2016-2025 (CESA 2016-2025)

Type of Instrument: Strategy	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Introduction, 7 Substantive sections with 12 strategic Objectives	Date of adoption/ entry into force: Adopted in 2016

Description:

CESA 16-25 seeks to achieve better the educational strategic frameworks' results, at the regional or international levels, drawing lessons from previous continental plans and strategies with regard to the role and place of the AU. It capitalizes on numerous and active players ready to mobilize financial, human and technical resources within national, regional and continental coalitions for education, science and technology. Thus, CESA 16-25 seeks to provide each education stakeholder the opportunity to make his or her best contribution to education and training in Africa. This strategy is driven by the desire to set up a "qualitative system of education and training to provide the African continent with efficient human resources adapted to African core values and therefore capable of achieving the vision and ambitions of the African Union.

The Instrument:

This strategy is part of the global AU Agenda 2063. It takes cognizance of the fact that Africa is not only endowed with natural resources, but remains the world's youngest continent and therefore if it were to invest in the training and education of its youth then Africa could become one of the most dynamic and productive economies.

Ten priority areas were identified for the region and these include: equitable and inclusive access to education for all; inclusion, equity and gender equality; teachers and teaching; educational quality and learning outcomes; science, technology and skills development; education for sustainable development (ESD) and global citizenship education (GCE); youth and adult literacy; skills and competencies for life and work; financing, governance and partnerships; and education in crisis situations. In the wake of the World Education Forum (Incheon 2015), the African Union is keen to develop its own benchmarks that take stock of the global goals; hence, this new Continental Education Strategy for Africa (CESA) which will run from 2016 to 2025.

The CESA 16-25 is aiming to achieve many objectives by 2025 in order to fully modernize the African education and training systems towards the achievement of the AU's vision and Agenda 2063. To achieve the goals, twelve (12) strategic objectives have been put in place, **of relevance to this compendium is Strategic Objective (SO) 5 which calls for action to accelerate processes leading to gender parity and equity.** They are highlighted below:

3- STRATEGY

SO 5:

Accelerate processes leading to gender parity and equity

- a) Scale up successful retention experiences in the service of at-risk gender groups (girls and boys) and enhance their performance.
- b) Ensure successful progression from one level to another throughout the system.
- c) Mobilize communities to become partners in ensuring that girls (and boys as appropriate) enroll, stay and achieve in schools.
- d) Develop relevant interventions to address constraints of access and success at all levels.



On-line version:

https://au.int/sites/default/files/documents/29958-doc-cesa_-_english-v9.pdf



Related Instruments:

- Beijing Declaration Platform for Action
- Declaration on 2015 Year of Women's Empowerment and Development Towards Africa's Agenda 2063
- Agenda 2063
- Sustainable Development Goals (SDG) Agenda 2030
- 2014 Science, Technology and Innovation Strategy for Africa 2024 (STISA-2024)
- Continental Strategy for Technical and Vocational Education and Training (TVET)

(I) African Union Gender Strategy on CESA 2016-2025 (GES4CESA)

Type of Instrument: Strategy	Region: Africa	Organisation: African Union (AU)
Status: Non-binding	Structure: Introduction, 5 Substantive sections with strategic Objectives 12	Date of adoption/ entry into force: Adopted in 2018

Description:

This strategy addresses the necessity to implement the principles enshrined in the Beijing Platform for Action in connection to a post-2015 African development agenda. It underlines the need to ensure that growing and new challenges to gender equality must be addressed, and states must underline and enforce women's rights, adopt gender-sensitive planning, and demand accountability from other member states and organizations to achieve these goals.

Of importance to this Compendium are parts 2, 3, 4 and 5

The Instrument:

The framework is meant to accelerate the implementation of the seven (7) aspirations for growth and sustainable development. Girls' education is both an intrinsic right and a critical lever to reaching other development objectives.

Member States are especially encouraged to prioritize the inclusion of the most disadvantaged and marginalized; to close the learning gap particularly for girls with multiple disadvantages, including the economically disadvantaged, the orphans, the rural poor, those living with disabilities, the refugees, the internally displaced and those living in conflict and post conflict countries. The relevant provisions include:

2.1 Towards the development of Quality Learning & Learner Friendly "Schools"

Promoting gender equality in the classroom requires providing an all-inclusive gender-sensitive environment that is conducive to learning at all levels; where the educational environment is safe, healthy and protective, endowed with trained teachers, adequate teaching and learning resources and has appropriate physical, emotional and social conditions for learning. This is must integrate human rights base approaches.

2.2 Early Childhood Development: Engendering the foundation

Emphasizes that the importance of integrating gender into and through education is through early learning for sustainability across the education levels. This imperative in influencing children's social skills, basic values and attitudes, including neutralizing gender stereotypes before they become a set of unconscious way of thinking and behaving. Member states are called upon to mainstream gender in their policies, strategies, curricula and programmes for early childhood education. This is aimed at transforming the child, the parents, and the communities and creation of safe and child-friendly spaces for early child care, education and development for both girls and boys.

2.3 Education in Emergencies (EiE)

It takes cognizance of the need to protect girls and young women and the value of boys and young men particularly during violence. To achieve provision of safe haven in schools spaces and platforms for promotion of peace building; reintegration of child soldiers; and, social mobilization and communication. Emergency situations portends education prospects for girls and boys especially in conflict, crises, natural disasters such as drought and floods.

Member states are encouraged to ensure security for schools/school spaces to support "Go-to-School/Back-to-school/Stay-in-School campaigns," and strategies to increase girls' continued participation and gender equality in access and retention for girls, boys, adolescents, young people and men and women.

Intervention programmes must integrate women and men, young people and child soldiers, both girls and boys, provide psychosocial support violence, child soldiers and young combatants, and promote peace building and reconstruction of school infrastructure ensure schooling continues without interruption.

2.4 Focus on Learning and improved performance for girls and boys

The global learning outcome paradigm focuses on students' learning outcomes, improvement of assessment practices, and the refocusing of institutional missions onto student learning. One way of doing this is by recognizing the importance of assessment of learning through end year/cycle examinations, as a strategy for enhancing quality. It is a powerful diagnostic tool that can be used to provide information on the progress made by girls and boys; and young people; and men and women. Member States must be called to provide support for the revitalization of gender responsive Assessment for Learning processes that improve learner achievement by:

- Aligning systems (cluster of schools, districts, etc.) to include common gender responsive assessments for learning tests developed through rigorous processes and tests which are reliable and valid;
- Creating opportunities for teachers, facilitators, inspectors, supervisors to develop gender sensitive assessment tasks and tests working collaboratively at school and other aligned systems; and,
- Regularly collect data on learning outcomes.

2.5 Girls in STEM in Africa

Notes that girls perform worse than boys in STEM in most of the African Member States, despite efforts made over the past 15 years in promoting STEM for girls and women. The progress is slow, and women and girls continue to be excluded from fully participating in science. Technological advancement is inevitable in Africa and it is imperative girls, adolescents, and young women pursue STEM related careers and businesses.

African Member States are called to promote gender socialization for STEM and un-stereotype the systems in which girls and boys play, learn and grow up by undertaking the following:

- Encouraging girls into STEM in early life of education (Early Childhood Development Education).

- Use teachers as agents of change in changing gender norms in STEM, at the initial teacher professional training and the Continuous Professional Development.
- Increase the number of female teachers in STEM who will also serve as role models for girls to debunk the STEM gender stereo type.
- Create a functioning national, sub-regional and Africa-wide network of STEM teachers, mentors and counselors to help young people, especially the girls to pursue their dream careers in STEM.

2.6 Developing and Strengthening Partnerships for Gender Equality

2.6.1 Nurturing Transformative Leadership:

Member States called upon to demonstrate strong political will, commit to implementation and build transformative leadership for now and for the future aimed at integrating gender equality values into and through education by:

- Recognizing the potential of young people to provide the current and the next generation of gender equality leaders.
- Taking concrete measures to integrate gender equality principles in education systems.
- Strengthening leadership role of women in gender transformation of education systems and management by increasing numbers and improving the quality of female education managers and leaders at all levels;
- Strengthening gender equality leadership objectives through equity financing and gender, including, a mix of education, economic and social protection measures to reduce disparities;
- Integrating gender equality principles in education curricula as well as sector policy and legal frameworks and regulations relating to management and coordination of the linkages to other sectors such as health, nutrition, water, sanitation, hygiene, justice, child protection, social welfare, social protection and security; and,
- Mainstream gender in Research, Quality Assurance, and Monitoring & Evaluation systems.

2.6.2 Strategic Partnerships for Gender Equality:

Member countries are expected to establish strategic partnerships on the lines of FAWE, UNGEI and GPE with a clear purpose, Terms of Reference (TORs) and partnership principles to strengthen coordination and information-sharing mechanisms. Partnerships must have a clear purpose:

- Emphasizing clarity of government leadership and that whoever leads the development of the partnership needs to be recognized, empowered and trusted by the partners;

- Built on a shared and common vision and mutually agreed upon service principles;
- Placed in a decision making mechanism to be applied accordingly with jointly agreed-to objectives, expected results, modalities of operation and understood by each partner;
- With clearly articulated and understood individual partner organizations' objectives and areas of focus which are understood by other partners;

The partnership must ensure that gender equality is mainstreamed in the policies, legal instruments, regulations, operations of the education sector and other related strategic partners and their frameworks.

2.7 Gender in Education Financing, Costing and Budgeting

Notes that there is a gap in the evaluative knowledge on the African continent which is attributed to a leadership that has not consistently and persistently supported gender mainstreaming policies what is referred to as "policy evaporation". It is further noted that gender equality may be integrated at the design of the programmes but fizzles out during implementation due to poor monitoring and evaluation practices which eventually lead to invisible gender results with a weak feedback loop in promoting gender equality in going forward and with future designs. There is lack of gender expertise and poor funding to finance gender equality. To improve results, Member states are called upon to do the following:

Member States therefore must:

- Take a two-pronged approach to Gender Responsive Budgeting by integrating gender equality in all sub-sectors and budget lines whilst at the same time allowing for a 2% of the total set aside to allow for equity and inclusion;
- Integrate Gender into the Public Expenditure/ Gender Budgeting framework and learn from each other as Africans and encourages others to learn from Ethiopia's experience.
- Planning for acceleration and expansion of quality provision of education for all girls, boys, adolescents, young people, men and women within a comprehensive costed framework for all levels of education from ECD through primary, TVET, secondary and tertiary levels of Education;
- Action plan towards the implementation of the recommendations of the Education Commission on financing compact focusing on Performance, Innovation, Inclusion and Financing;
- Development of costs and financing mechanisms for Gender Equality and related issues in the education sector;
- Mobilization of domestic resources for gender equality in education and earmarking resources to education and other sectors with symbiotic relationships with education such as Health and Nutrition and spending more money, earlier and smarter—more and better investment from resources on resources on ECD, UPE/USE, STEM and

TVET with special funds allocated for STEM, TVET, Educational Innovations and tertiary education for girls

- Improved and proper utilization of funding to education, ensuring that it is spent better with special focus on Learning and Inclusion of girls, persons with disabilities, the disadvantaged and the marginalized;
- Learning from other approaches and frameworks which extend beyond the Education System and touches on outcomes of education in the market place through innovative interventions and innovations that are piloted, tested and scaled-up if proven successful;

2.8 Education Management Information System (EMIS)

For the Gender Equality Strategy for CESA 16-25 to work effectively, there is need to address data and information and research issues in the education system. There is also need to strengthen the evidence base to include both quantitative, sex disaggregated and gender specific data. Currently the main tool and reporting system used by the Education Ministries of Member States is EMIS. This system has challenges such as non- capture of informal education and literacy programmes, weak on Early Childhood Development indicators, not effective for emergency, conflict affected and post conflict settings. EMIS is not effectively linked to the other databases such as the Health Management Information System (HMIS) or the Water, Sanitation, Hygiene, Nutrition, Hygiene, Justice, Security, Labour Management Information Systems (LMIS) which are of direct relevance to the education of girls and boys, adolescents, young people, men and women.

Member States are encouraged to compliment EMIS with other tools, modules and methodologies to improve on the quality of gender responsive data and planning system, such as:

- a. Digitalization and use of mobile phones, social and other media for improved and timely data collection
- b. Rapid Assessment of Learning Spaces (RALS) and mapping RALS mapping brings an understanding to particularly geographic and regional inequalities and other inequalities as may be defined by the Member State.
- c. Inclusion of Gender-specific data in the Dimensions of Exclusion in the Out Of School Children (OOSC) and Young People

The framework for conceptualizing Out of School Children studies was produced by UNICEF and UNESCO Institute for Statistics (UIS) in 2010 as part of the Global Initiative on Out-of-School Children. Member states are called upon to do the following:

- Sharing among Member States, country-level data and evidence on girls and boys, adolescents and young people who are out of school; and, girls and boys, adolescents and young people who are in school but who are most vulnerable to dropping out;
- Improving data to identify vulnerable and marginalized groups of OOSC with a view to targeting and financing;

- Improving quality and quantity of education facilities and opportunities, to combat exclusionary cultures and practices among Member States;
- Improving incentives for inclusive education and high standards in schools and among teachers;
- Identifying and supporting analysis of expenditures that contribute to addressing the challenge and needs of OOSC and young people.

d) Data collection tools for inclusion of persons with disability

Article 31 of the 2006 United Nations Convention on the Rights of Persons with Disabilities encourages Member States to collect appropriate information, including statistical and research data, to enable them formulate and implement policies to give effect to the Convention. The Education 2030 (Incheon Declaration) focuses on quality education and inclusion and also encourages Member States to do the same. The methodology for the rating scale relies on the International Classification of Functioning, Disability and Health (ICF), developed by the World Health Organization (WHO) which encompasses.

- Measuring child functioning:
 - Module on Inclusive Education is under development:
- a) Strengthen the African Education Observatory to be able to develop relevant tools for collecting and analyzing qualitative and quantitative data, and train Member States accordingly.

2.9 Gender in Research

Takes cognizance of the importance of research in informing and strengthening the qualitative data to compliment EMIS. The research places gender responsive education at the center of socio-economic development in Africa. The Research series also brings to light the challenges faced by girls and women in learning situations from primary through tertiary institutions of learning.

To improve data and information management for monitoring and evaluation, Member States are called upon to establish a baseline with disaggregated data and gender specific data to set targets and indicators for monitoring progress and assessing impact. The baseline is critical for annual, biennial, five-year and ten-year targets, and in the preparation of the Monitoring and Evaluation plan.

3.5 The Results and Indicators framework

The AUC framework expects Member States to incorporate gender equality in their Monitoring and Evaluation frameworks as a way of measuring differential effects on girls, boys, men and women. Member countries are expected to include both quantitative and qualitative data and indicators for monitoring progress, change over time and impact.

Transforming Education Processes and Systems

Gender Equality needs to be integrated in the full cycle/process of the sector development planning. Sectors with strong symbiotic relationships with education such as health and nutrition, water, sanitation, hygiene, justice, security, labour, social services/development,

economic planning and finance must be encouraged to incorporate principles and integrate Gender Equality in their respective programmes.

4. Engendered education sector development

- Must be familiar with the Sector Development process and the timelines for the various internal processes;
- Should endeavor to secure a seat at the table and also participate in the working sub-groups of the Local Education Working group where they exist;
- Wherever possible, must participate in the other Sectoral Working Groups to ensure strong positive linkages between Education and other relevant sectors;
- Must be familiar with the latest guidelines on the internal processes;
- Must realize that the modified and shortened forms of Sector Development processes are also conducted for Emergency, Conflict and Post Conflict settings;
- Must be familiar with other relevant tools such as the 2016 UNGEI-GPE Gender Responsive Education Sector Planning Guidance.

The partnership on Gender Equality,

- Should provide research findings, such as those conducted by FAWE and analyses as captured for and during the government sector analysis process, and share good practices and tested innovations which are ready for scale up at national level;
- Must add value to the processes through participation in other ongoing processes such as monitoring, assessments, risk analyses and in measuring results and assessing the impact of programmes on girls, boys, adolescents, young people; men and women;
- Should actively participate in the drafting of the actual products/ outcomes of the Sector development process;
- Should participate in Monitoring and Evaluation (M&E), in tracking progress and capturing other perspectives for accountability purposes;
- Should develop Gender Assessment Tools, which will be easily accessible and incorporated in the tools used by the Ministries of Education in the Sector Development Process; and,
- Must ensure that every report on the process includes a component on Gender Assessment and that this is used as a criteria for endorsement and approval.
- Finally, the partnership can also participate during the endorsement and approval stages.

4.2 Gender in Educational Innovations

Educational Innovation demands the rethinking of how and where learning happens or occurs for girls, boys, young people, men and women. Innovation in STEM is always linked to human experience and human experiences occur. Member States are called upon to:

- Foster innovation across the education systems by creating an environment where innovation can take place and when innovation takes place, this must be scaled up;
- Identify Research topics in key areas where innovation must be prioritized for future success;
- Identify how teaching and non-teaching staff in the education system may be trained and professionalized cost-effectively without largely disrupting work;
- Develop practical strategies on how to fully harness technology through investment in digital infrastructure which requires a multi-sectorial approach, and Rwanda may provide lessons for other African countries;
- Develop the ICT skills and share best practices within the education sector in order to maximize the impact of digital innovation on teaching and learning;
- Identify ways in which non-state actors, girls and boys and young people may expand their roles and better contribute in the design of education as creative young minds, business, civil society, creators of employment, and most importantly improve state/non-state strategic partnerships for innovations.
- Make the Teaching Profession more professional and sustainable;
- Use Education Technology to advance personalized education and to accelerate learning
- Create space for both teachers and learners, particularly girls and young women to become creators of information, best practices and educational resources that can be shared among Africans and even with the world at large;
- Effective projects must be scaled up to the whole continent.
- Teaching and learning must change because educational innovations should not only help the girls and boys, adolescents and young people to develop skills for own businesses and careers, and make the young people captains of their future, creators of a better world/ providers of solutions. Tests and Examinations should not ask for what the student knows but must move more towards design challenges with real life implications for Africa by 2063!

4.3 Gender in Emerging Issues such as Technology and Climate Change

Access to digital technology: This makes educational opportunities and working arrangements more flexible; can connect people to available opportunities in business, knowledge and to work; it can enhance e-commerce and e-trade for entrepreneurs. It can also enhance the

accumulation of productive assets through mobile banking. However, in Africa, women and girls have less access to digital technology than boys and men.

This lack of access to internet is a barrier to girls and women's empowerment and development. To tap the potential of technology will require thinking differently by Member States. It will be important for Member States to invest in:

- Rethink schooling how and where learning takes place in the technological era for 2050 economies in Africa;
- An enabling environment to promote innovation for girls and young women;
- Creating and developing a mindset of creative confidence for girls and boys and young people for technology in education;
- Consulting the users of technology, particularly young people, on what their needs are;
- Preparing girls and boys and young people for the world of work and in creating jobs;
- Identifying ways of how to effectively use technology for inclusion of the girls, persons with disabilities, the disadvantaged and the marginalized.
- Mentorship programmes which link the available industry players and professionals with the potential ones.

The 2016 World Bank Report on Gender Equality notes that women The Environment and Climate Change is an issue and a challenge that affects girls and women differently from the way it affect boys and men. There is need therefore for Member States to explore challenges presented by Climate change in their respective localities and identify opportunities to build climate-resilient and multiple level strategies that will bring together actors in Gender, Climate Change and in Education.

5. Reporting on and Evaluating the Gender Equality Strategy

Gender Equality Strategy is for CESA 16-25, the progress towards achieving its results will be measured against the 12 Strategic Objectives and respective Action Areas of CESA 16-25. Reporting under this strategy is through the relevant thematic clusters and technical committees of the AU on Human Resources/Education, Science and Technology; and the Technical committees on Gender/AU/CIEFFA and Youth.

The progress on the implementation of this Gender Equality Strategy must also be reported through the relevant GIMAC and Young People/Youth processes and meetings.

FAWE, AU/CIEFFA and the AU Education Division of the Human Resources, Science and Technology Commission will conduct an independent evaluation of the implementation of the gender equality strategy for CESA16-25 upon its completion.

**On-line version:**

https://au.int/sites/default/files/documents/33863-doc-cesa_journal_vol2_final.pdf

**Related Instruments:**

- Agenda 2063
- Sustainable Development Goals (SDG) Agenda 2030
- CESA16-25.
- 2014 Science, Technology and Innovation Strategy for Africa 2024 (STISA-2024)
- Continental Strategy for Technical and Vocational Education and Training (TVET)

CONCLUSION

Girls' and Women's education is more than just about enrolling girls and young women in schools. It is also about ensuring that this universal human right as stated in the various international and regional treaties, frameworks are effectively respected and promoted by stakeholders and all of us.

Several international instruments, including, the UDHR, CEDAW, CADE, CRC, ICESCR, the Beijing Declaration Platform for Action and Agenda 2063 have been adopted to provide a framework for the realization of girls' and women's right to education. At the regional level, instruments such as the ACHR, the Maputo Protocol, the ACRWC the SDGEA and the Agenda 2063 contain provisions projected towards the same end. AU member states must subsequently employ strategies that ensure that these instruments are implemented and are not just ratified for international public relations.

The reader may have also noticed that girls and women's education is anchored in a robust legal foundation which should have guaranteed them access to quality education leading to decent and attractive employment opportunities. The questions that arise are why adopted and ratified laws are not enforced and why is girls' education still lagging behind among other universal human rights. Careful analysis of why most AU member states have poor statistics in terms of retention and completion of girls at school can be explained by the fact that most of African girls and women are still living in marginalized communities, poor households, often with physical and learning disabilities and living in rural and remote areas.

Because education is a fundamental human right and a universal aspiration, this means that its starting point for the focus should therefore be equity. This implies that AU member states' goals in addressing educational issues should have an equity dimension and focused target. The affirmation of rights should be accompanied with a clear, unambiguous mode of enforcement; otherwise the granted rights are valueless. In short, a law without a mechanism for effective enforcement is not worth the paper it is written on. Only time will tell if the aspirations' in the international and regional instruments promoting and protecting the girl child's right to education will be effective, or merely a sign of good will, showing presumptive evidence of Africa's adherence to and promotion of the rights of the girl child.

All readers and users of this compendium, are strongly invited to widely disseminate this Compendium of Regional and International Legal Instruments on Girls' and Women's Education.

Finally, Africa's commitment to push agenda for girls and women's right to education will be further deepened if you decide to read the monitoring framework developed by the AU/CIEFFA which will enable the implementation of this compendium.



Article 12 of Maputo Protocol on Women's Rights in Africa recognizes women's right to Education and make State parties accountable to:

"Promote the enrolment and retention of girls in schools and other training institutions and the organisation of programmes for women who leave school prematurely."



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