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United Nations Committee on the Elimination of Discrimination against Women (CEDAW)

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Half-Day General Discussion on girls'/women's right to education

JOINT STATEMENT BY

Lucy McKernan, Global Initiative for Economic, Social and Cultural Rights

On behalf of:

Ação Educativa

ActionAid

Arab Campaign for Education for All (ACEA)

Asia South Pacific Association for Basic and Adult Education (ASPBAE)

Brazilian Campaign for the Right to Education

Education International

Equal Education Law Centre (EELC)

Global Campaign for Education

Global Initiative for Economic Social and Cultural Rights

Latin American Campaign for the Right to Education (Campaña Latinoamericana por el Derecho a la Educación)

Open Society Foundations - Education Support Programme

Right to Education Project

SECTION27

Madame Chair,

I am making this statement on behalf of 13 organizations. This oral intervention is accompanied by a written submission on the issue of 'Privatization and its Impact on the Right to Education of Women and Girls,' which is informed by an e-consultation held via the [Right to Education Project Discussion Forum](#), as well as over Facebook and Twitter. In addition, our statement and submission have also been informed by a recent two-day workshop held in Geneva, Switzerland (from 13-14 June) addressing privatization and the human right to education, which brought together advocates from 12 different countries (Belgium, Brazil, Ghana, India, Lebanon, Morocco, Philippines, Senegal, South Africa, Spain, UK, and USA). The workshop specifically addressed gender discrimination within the context of privatization of education.

The global landscape when it comes to education is rapidly changing. One of the most notable of these changes is the recent trend towards privatization of education in many countries. In general, privatization signifies "a transfer of financing, management, service delivery and

*ownership of education facilities and other assets, from public to private or non-governmental hands,”*¹ encompassing a variety of models. This trend is proving to have significant implications for the human right to education, both in terms of quality of education and in terms of accessibility and affordability of education. As the UN Special Rapporteur on the Right to Education highlighted in a recent report: *“in many parts of the world inequalities in opportunities for education will be exacerbated by the growth of unregulated private providers of education, with wealth or economic status becoming the most important criterion to access a quality education.”*²

Privatization often means a relative increase in school fees, and herein lies one of the most important issues from the standpoint of gender equality. As the United Nations Girls’ Education Initiative (UNGEI) has highlighted, free schooling may be the *“single most important policy measure”* to ensuring that girls (as well as boys) are able to access education.³

Research shows that privatization in many cases exacerbates gender discrimination in the area of education. When having to choose which of their children to send to private schools, parents will often opt to send their boy children rather than their girls, on the assumption that a quality education is more relevant for a boy’s future than for a girl’s. In many societies, a girl is seen as joining another family when they get married, whereas a boy assumes the financial responsibility for taking care of his aging parents.⁴ Therefore, education of sons is seen as a more worthy investment of resources. In short, for poor families even low-fees charged by private schools are a massive disincentive to educating girls.

This problem is also further compounded by problems such as lack of regulation and oversight of private educational institutions, which can result, in some cases, in a lack of accountability for sexual assault of girls by school teachers and administrators, promotion of gender stereotypes, and lack of access to sexual and reproductive health education, which also have disproportionate impacts on girls.

Quality free public education is the key to demolishing structural barriers to girls’ access to education, so that parents are not forced to choose between their sons’ and daughters’ education.

Because the CEDAW Committee is in the process of articulating its own General Recommendation on the right to education for women and girls, it may be especially helpful to note General Comment No. 13 of the Committee on Economic, Social and Cultural Rights, on the right to education. It notes that that the State has *“principal responsibility for the direct provision of education in most circumstances,”* and that *“States parties have an enhanced obligation to fulfil (provide) regarding the right to education.”*

¹ Global Campaign for Education & RESULTS Educational Fund, ‘Making it Right: Ending the Crisis in Girls’ Education,’ 2012.

² UN Doc. A/68/294, para. 26.

³ The United Nations Girls’ Education Initiative (UNGEI), ‘Global Section: The School Fee Abolition Initiative (SFAI),’ available online at: http://www.ungei.org/infobycountry/247_712.html [last accessed 20 May 2014].

⁴ See, for example: Joanna Härmä, ‘School choice for the poor? The limits of marketisation of primary education in rural India,’ Create Pathways to Access, Research Monograph No. 23, January 2010, available online at: <http://files.eric.ed.gov/fulltext/ED508748.pdf> [last accessed 19 June 2014].

Indeed, we conclude that in order for women and girls to be able to realize their right to education, as well as their rights to non-discrimination and equality more broadly, it is imperative that education be seen as a public good, and not as a commodity. This is in line with a human rights based understanding of the right to education, and it also underscores not only a State's obligation to protect, but also to fulfill the right to education. The negative consequences which are borne when education is privatized cannot be adequately redressed through increased regulation of private actors alone. Rather, a renewed emphasis on a State's obligation to fulfill the right to education is needed in order for women and girls to enjoy their right to education in practice, and so that education is truly transformative as a human right.

Thank you.