



16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE
16 DÍAS DE ACTIVISMO CONTRA LA VIOLENCIA DE GÉNERO
16 JOURS D'ACTIVISME CONTRE LA VIOLENCE DE GENRE

16 يوم من مكافحة العنف القائم على النوع الاجتماعي

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Extremism, Violence Against Girls and Education: Overcoming Barriers by State and non-State actors to Realize the Right to Education for Girls

Despite feminist struggles for sustainable and transformative development, education remains beyond the reach of millions of girls.¹ This is particularly true for girls who comprise the majority of out-of-school children, those without access to education, those who never start school, and those who do not complete primary schools.² Women constitute two-thirds of the world's illiterate people (493 million) and gender parity in education has not been reached.³ Hand in hand with this reality, women's human rights activists all over the world continue to call for an end to all forms of violence against women and girls. Violence against girls on their way to school or while they are in their schools must end and, in order to find the solution, the human right to education for girls must be realized.

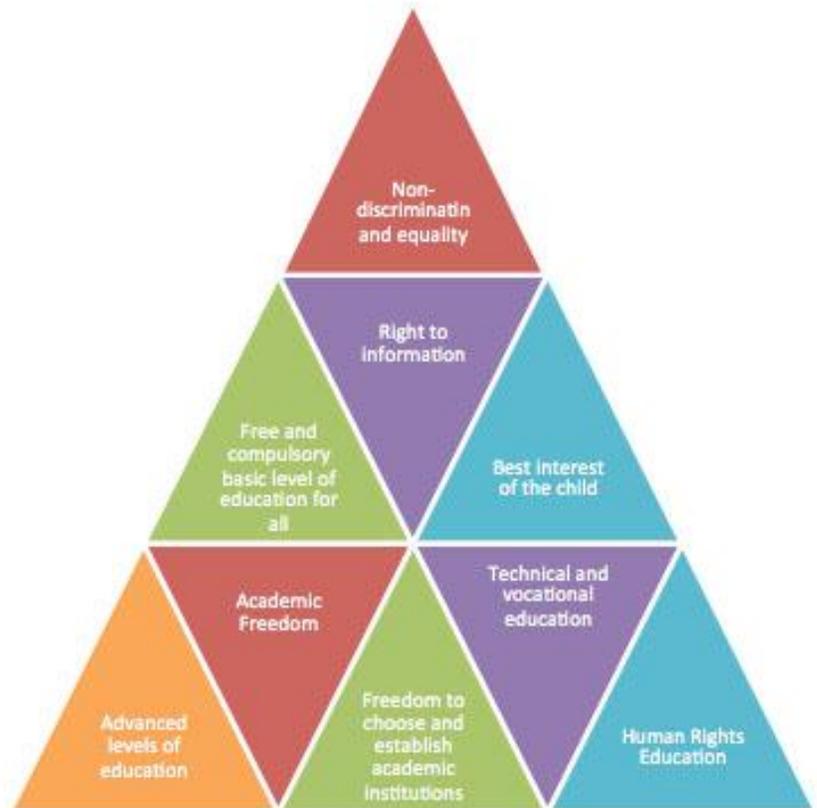
The Right to Education for Girls

International human rights standards on the right to education assert that the need for knowledge, skills and information is universal as well as central to human development. For example, the Universal Declaration of Human Rights states that "[e]ducation shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms."⁴ The UN Convention on the Rights of the Child elaborates and refers to education as a process aimed at "[t]he development of the child's personality, talents and mental and physical abilities to their fullest potential."⁵ A girl's right to access and benefit from education/schooling must be seen "[a]s an end in itself rather than [only as] a means for achieving other ends."⁶

With 189 States Parties, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is one of the most widely ratified international human rights treaties. Even though the large number of reservations to the Convention present challenges for implementation, a very small number of countries have made reservations or declarations to CEDAW Article 10 on the right to education.⁷ In line with CEDAW, education's promise of empowerment comes not merely from increased awareness of the rights of women and girls, but of the breakdown of powerful gender stereotypes and ideologies based on the notion that women should be subjugated and their human rights denied.

Extremism and Violence against Girls

Many groups that oppose human rights for women and girls, including State and non-State actors, are using arguments in the cause of religion, culture, and tradition to justify the gender-based violence and discrimination to which girls are being subjected.⁸ These extreme views deny human rights of women and girls and often target dissent. Thus, girls that challenge fundamentalist ideologies by attempting to access education or simply express non-normative gender identities and sexualities are at risk of gender-based violence.



The right to education encompasses all of these

Violence and the fear of violence inflicted by extremist groups or individuals supporting their ideologies are among the prevailing reasons preventing girls from attending school and completing their education.⁹ In places where extremists are seeking to take over all public and private spaces, girls' risks to rape, sexual harassment, intimidation and threats have increased.¹⁰ Poverty, militarism, armed conflict, lack of sanitation and long journeys to school make the simple act of choosing to go to school an act of defiance and resistance by girls and their families, which often leave them even more vulnerable to violence.

Attacks on girls attempting to access education and attacks targeting girls in schools directly impact the lives of many – not only girls, but those who support them – families and teachers. Every attack on girls going to school or in school tells the collective community that there is no safe place for girls and families that do not conform to traditional or patriarchal sanctified practices and roles. This often leads to exclusion from education by families and State actors, where girls are kept out of school as a way to “protect” them. For example, after the attacks on schools in Pakistan and Nigeria in the last few years, schools for girls in “at risk areas” are often closed indefinitely. Even when they stay open, families do not allow girls to go to school for fear of new attacks. In this way, most of measures taken by families and State actors in response to attacks on girls going to school or in those in school targeted by extremist groups often lead to further violations of the human right to education.

Harmful Practices

Overall, the discriminatory gender roles and harmful practices girls are subjected to have a long-term impact in the lives of girls and affect all of their rights, including their right to access, enjoy and benefit from education. The asymmetries and disparities that stem from patriarchy and the social inequalities it produces predate education systems and policies and often cause the exclusion of girls from schools and quality education.¹⁶ Therefore, all actions by State and non-State actors to address violations of the human rights of women and girls must address the root causes of gender disparity and gender-based violence. Attacks on girls attempting to exercise their right to education often happen because of existing negative beliefs and stereotypes that justify practices that subjugate women and girls through violence. They also occur because extremist ideologies often consider the right to education as a transformative right that challenges the status quo and social transformation is then seen as a threat. States parties have an obligation to “establish legal structures to ensure that harmful practices are promptly, impartially and independently investigated, that there is effective law enforcement and that effective remedies are provided to those who have been harmed by such practices.”¹⁷ States must also “explicitly prohibit by law and adequately sanction or criminalize harmful practices, in accordance with the gravity of the offence and harm caused, provide for means of prevention, protection, recovery, reintegration and redress for victims and combat impunity for harmful practices.”¹⁸

Tool 1: These two General Comments by UN Human Rights Treaty Bodies are helpful. Committee on the Rights of the Child General Comment No 13 on the right of the child to freedom from all forms of violence (2011)¹¹ and Committee on Economic, Social and Cultural Rights General Comment 13 on the Right to Education (2009)¹²

Tool 2: When designing policies, actions and strategies to guarantee the safety of girls in schools it is important to refer to CEDAW Article 1.¹³ Indirect and unintended discrimination can be as harmful as targeted discrimination and violence against girls.

Tool 3: When addressing harmful practices, it is helpful for women's human rights advocates to refer to the joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices (2014).¹⁴

Tool 4: States may adopt temporary special measures in education as a way to effectively protect girls from violence while ensuring their right to education. The CEDAW General Recommendation 25 on temporary special measures is a tool that may be helpful to women's rights advocates when recommending State action and policies to guarantee girls right to education.¹⁵

State Education Policies and Practices

Despite the detailed legal framework and a global political consensus on the right to education for all, attacks against girls accessing education are being documented with increasing regularity. Attacks against girls on their way to school or at school have highlighted the fragile nature of achievements in the field of education worldwide. As long as attacks on girls attempting to access and enjoy their right to education by extremist groups continue, the accessibility, availability, adaptability, acceptability and quality of education for all will continue to slide back.

States must investigate attacks against girls claiming their right to education and must prevent future attacks by taking all necessary actions. However, in most cases, attacks on groups of girls in schools are followed by closing schools and violations of girls' rights to education. Gender-based violence against girls is not being investigated and documented, and perpetrators of violence against girls are not being held accountable. At another level, regardless of the motivations for attacks against girls, States must continue to address underlying structural discrimination and negative gender stereotyping. Education policies and systems must address the root causes and consequences of attacks against girls accessing education and for this to be possible, ongoing gender-equality training, systematic research and improved data collection is required.

Advocacy Tips

Update your knowledge

International human rights treaty bodies and experts have been paying more attention to the need to integrate strategies to achieve girls' right to education and eliminate all forms of violence against girls. Without addressing these gaps, we will not be able to realize the right to education for all, one of the critical areas of sustainable and transformative development for poor communities and countries around the world. It is important to keep up to date with the interpretation and expansion international human rights standards that can benefit girls and be used to address extremism.

Apply the women's human rights framework

Even when it is not safe or strategic to openly mention women's human rights in your work, applying the framework to understand the problems women and girls face and advocate for solutions is essential. The human rights framework is helpful in addressing discrimination against girls; understanding the linkages between discrimination and gender-based violence and documenting violations of the right to education. A feminist-human rights approach must consider problems and solutions in a holistic way because all the rights of all women and girls are part of the vision for transformation.

Discrimination and barriers change over time

Advocacy efforts must be adapted as new challenges emerge. It is important to understand the ways girls are subjected to violence when trying to access their right to education. Similarly, once in school, girls often experience violence in schools and through the education system, for example corporal punishment. Since discrimination and inequality are dynamic and change over time, on-going tracking and documenting discrimination and barriers to substantive equality is important.

Advocate for integrated strategies

It has increasingly been recognized that girls play a critical role in solving the most persistent development problems facing the world today. Access to quality education and freedom from violence in childhood and adolescence can transform the access to opportunities and equality over a woman's life. Integrating girls' rights to education and addressing gender-based violence can have multiplying results in intimate relationships: preventing and addressing rape and sexual harassment; preventing child marriage and teen pregnancy; preventing trafficking in girls. In the long term, these ideas help to promote equality in the family and in the work place between men and women

Mobilize girls, boys and their families

Engage with girls, boys, teachers and their families who are willing to listen and raise awareness about the importance of the right to education and the right to a life free from violence. Continue to build their skills and set up girls' clubs and gender equality groups in your community and in schools. Rally support for girls that are willing to take risks to exercise and enjoy their human right to education

¹ An estimated 31 million girls of primary school age and 32 million girls of lower secondary school age were out of school in 2012. UNICEF, *Girls Education and Gender Equality*, http://www.unicef.org/education/bege_70640.html

² UNESCO, *Girls Education Fact Sheet* (2013), <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/GMR/images/2011/girls-factsheet-en.pdf>

³ UNESCO Institute for Statistics, *International Literacy Data 2013*, <http://www.uis.unesco.org/literacy/Pages/data-release-map-2013.aspx>

⁴ Universal Declaration on Human Rights, Article 26(2), <http://www.un.org/en/documents/udhr/>

⁵ UN Convention on the Rights of the Child, Article 29(1)(a), <http://www2.ohchr.org/english/law/crc.htm>. The UN Committee on the Rights of the Child expansion on this in General Comment No 1 with respect to the aims of education is available at: [http://www.unhcr.ch/tbs/doc.nsf/\(symbol\)/CRC.GC.2001.1.En?OpenDocument](http://www.unhcr.ch/tbs/doc.nsf/(symbol)/CRC.GC.2001.1.En?OpenDocument).

⁶ Report of the UN Special Rapporteur on Education, E/CN.4/1999/49, 13 January 1999, para. 13.

⁷ UN Convention on the Elimination of All Forms of Discrimination Against Women (hereinafter CEDAW) (1979), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

⁸ AWID, *Religion, Culture and Tradition: Strengthening Efforts to Eradicate Violence Against Women*, September 2013. <http://www.awid.org/publications/religion-culture-and-tradition-strengthening-efforts-eradicate-violence-against-women>

⁹ Right to Education Project, *Background Paper on Attacks Against Girls Seeking to Access Education* (2014). http://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/HRC_Report_Attacks_on_Girls_2015_En.pdf

¹⁰ *Ibid.*

¹¹ UN Committee on the Rights of the Child General Comment No 13 on the right of the child to freedom from all forms of violence (2011), http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf

¹² UN Committee on Economic, Social and Cultural Rights General Comment 13 on the Right to Education (2009), <http://www.refworld.org/docid/4538838c22.htm>

¹³ CEDAW Article 1 reads: "For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by [girls], on a basis of equality of [boys] and [girls], of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

¹⁴ *Ibid.*

¹⁵ UN Committee on the Elimination of Discrimination Against Women General Recommendation No 25 on temporary Special Measures (2000), [http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(English\).pdf](http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf)

¹⁶ Joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices, Para 6 (2014), http://tinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/31/CRC/C/GC/18&Lang=en

¹⁷ Para 13 of joint general recommendation/general comment

¹⁸ *Ibid.*