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ACCESS DENIED!

Girls' Equal Right to Education in a global context, with a focus on Pakistan

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Universiteit Leiden

THE INTERNATIONAL CHILDREN'S PEACE PRIZE '13

A KIDSRIGHTS INITIATIVE

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PERMANENT SECRETARIAT
OF NOBEL PEACE LAUREATES SUMMITS

ABN·AMRO

Content

Preface

I come from the Swat Valley in Pakistan, a place known for its natural beauty: a beauty which was disrupted five years ago when the Taliban began a campaign to destroy the freedom of girls and women in that region. They blew up schools and prevented women from leaving their homes. They didn't want girls to be educated.

Pakistan is not alone in these struggles. Around the world, every day, hundreds of thousands of children toil to achieve the goals of education, peace and equality. They do so in the face of prejudice and violence. Many are killed and maimed for trying to go to school. Many more are trafficked, forced into child labour or married before they are sixteen.

At school, I learned the importance of pens and books. The saying, "The pen is mightier than the sword" is true. Those who oppose the rights of girls and boys to be educated are more afraid of books and pens than anything. The power of education frightens them. Women and children suffer today in many parts of the world. In Pakistan, much suffering is caused by terrorism. In India, innocent children are forced into child labour by their families. More than 50 schools have been destroyed in Nigeria. People in Afghanistan have been affected by the hurdles of extremism for decades. Girls under 16 are forced into domestic child labour and then marriage. In many parts of the world there is little justice for girls. The bald facts of the matter are stark. Eighty percent of all human trafficking victims are girls. In a single year, an estimated 150 million girls are victims of sexual violence. Seventy percent of the world's 1.4 billion poor are women and girls.

The challenges are enormous, and cannot be solved overnight, but at the heart of the solution is one simple thing – the right of every girl and boy to an education.

I want to continue my campaign by working with governments to ensure free compulsory education, of a high quality, that teaches tolerance, and gives all children the skills they need to succeed in the world. Governments must also act to fight terrorism and violence and to protect children from brutality and harm.

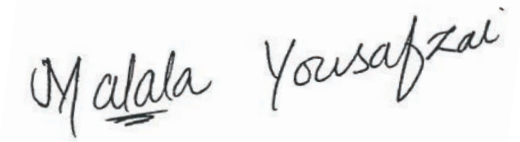
Malala, Winner of the International Children's Peace Prize 2013

We must work to ensure that girls are protected, respected and helped to flourish. We cannot all succeed, when half of us are held back.

Girls around the world must be brave – to embrace the strength within themselves and realise their full potential, and to help others who cannot help themselves. When I talk to girls who say "but what can I do? I am just one girl" I tell them:

"Each one of you will be amazed at what you can achieve. Start with one simple act. If you have many books, give one of them to a child who has none. For each small kindness – however insignificant in itself – will add up to something much more powerful."

One day, I know that my dream of education for all will become a reality.



Malala Yousafzai, Children's Peace Prize winner 2013

Executive summary

Today, millions of girls are struggling for access to education. When Malala Yousafzai, a 15-year-old girl from Pakistan, was attacked by the Taliban in 2012, she became a symbol of this struggle. As a result, the importance of the right to education, and the fact that it i¬s not universally realised, gained prominence on the international agenda.

The right to education is a core human right. It should be free and compulsory for every child; every child should have access to primary, secondary and higher education. This is affirmed in international human rights agreements, including the Convention on the Rights of the Child and the International Covenant on Economical, Social and Cultural Rights. Despite these conventions, the implementation of the right to education remains problematic, particularly for girls, thereby limiting their development and future perspectives. The Millennium Development Goals, which set targets in Goals 2 and 3 to achieve gender equality in education before 2015, are unlikely to be met by many countries. Today, there are still 57 million children without access to primary education, of whom 32 million are girls.

Three main challenges need to be overcome in order to achieve gender equality in education. Firstly, a deep-rooted cultural perception exists in some regions of the world that women should be restricted to only domestic roles. Secondly, poverty and the costs of education restrict access to education. Despite constitutional rights to free education in many countries, educational costs still place a burden on many households, and poverty often forces parents to make economic choices that result in their daughters being subjected to child labor or child marriage, severely limiting access to education. Thirdly, a lack of safety is often encountered for girls attempting to exercise their right to education. Difficulties lie both in the often difficult and dangerous journeys to and from school, as well as in school itself, where poor facilities may cause difficulties with sexual harassment and abuse.

The situation in Pakistan exemplifies the complex problems involved with the implementation of the right to education for girls. Pakistan provides a firm legal framework for the right to education. However, with 5.1 million children, the country has the second highest number of boys and girls who are not able to access education. In rural areas, widespread gender inequality remains, and the hurdles described above all apply. Furthermore, the conflict between the Pakistani Government and the Taliban often brings girls, teachers and school buildings in the direct line of fire. To increase access to education for girls in Pakistan, a number of actions need to be taken. Stakeholder dialogues and committees on education involving parents, community leaders and girls need to be established to change cultural and religious perceptions of the role of women and girls. Girls should be able to combine schooling with work activities, therefore ensuring parents do not lose additional income. Alternatively, parents should receive grants that are dependent on their daughters' attending school. In light of cultural practices and internal conflict, it is also essential that the safety of girls and female teachers be protected. Sufficient girls schools, especially secondary schools with adequate facilities, female teachers at convenient locations for the community, should be provided. Whilst the Pakistani Government is taking many of the necessary steps to ensure the right of education for girls, it is recommended that it opens up further to cooperation with the international community and NGOs to overcome the significant challenges that remain.

By meeting these challenges worldwide, a true cultural change can be achieved, enabling girls to raise their voices, breaking through the oppression and gender bias, and realizing their full potential.

"Education is the most powerful weapon which you can use to change the world."

Nelson Mandela

Section 1: Introduction

Fighting for the right of girls to education, Malala Yousafzai, from Pakistan's Swat Valley, a district in the north-western Khyber Pakhtunkhwa province (The KPK province), has suffered personal pain in her journey and made world headlines through her determination advocating for the rights of the world's girls to education. Coming from a region where girls' education has historically been limited on the basis of cultural, traditional and religious belief, Malala was unable to realise her right to education due to a ban on girls' education enforced by the Tehrik-i-Taliban Pakistan (the Taliban). Despite the ban, and recognising the dangers of rebelling against Taliban authority, Malala decided to write a blog for the BBC. In her blog, she talked about her experiences and her own and others' desire for change. Not agreeing with the thoughts and ideas of this 15 year-old girl, the Taliban attempted to assassinate Malala while she was returning home from school on 9 October 2012.

Malala's story has become symbolic of the struggle millions of girls face in their quest for personal development. Her story and her personal commitment to the issue have significantly increased public discussion about girls' right to education. Education enables children to learn about the world they live in and function effectively in it, to reach their potential. Education equips them with critical life tools such as problem solving and reasoning. Human rights are, by nature, interrelated and interdependent. Research shows that access to education for girls strengthens other human rights, such as the right to freedom of speech and the right to health. It empowers women all around the world to seek treatment equal with their male counterparts. Such efforts share one common goal: improving quality of life for women and girls, and creating a better world for future generations.

The right to education for both girls and boys has been universally accepted in many human rights' instruments. These include the Universal Declaration of Human Rights (UDHR), the Convention on the Rights of the Child (CRC), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other regional instruments.[1]

With so many challenges still facing the developing world, it is now expected that Millennium Development Goal (MDG) 2, including the right for girls to primary education, will not be achieved by the end of 2015. Worldwide, there are still 57 million children not attending primary education, of whom 32 million are girls. The root of the problem is multifaceted with widespread gender inequality, poverty and insecurity posing obstacles to achieving this Goal. Achieving meaningful change and durable solutions here is highly complex: what may be regarded as a durable solution by one person may be regarded by others as unwanted interference in personal affairs.

This Report highlights possible improvements to achieve gender equality in education, with a particular focus on the right of girls to education. Girls will, in many parts of the world, face difficulties accessing education and receiving quality education. However, the first step in achieving gender equality in education is that girls enrol and remain enrolled in primary and secondary education. This Report therefore focuses primarily on access to education. This does not mean, however, that quality of education is a secondary objective. This report will primarily focus on girls, meaning female children below the age of 18. However, it is essential to understand that women who marry at a young age and consequently withdraw from education should also have access to all levels of education.

This Report first outlines the legal framework underpinning the right of girls to education (Section 2). The legal framework alone is not able to enhance girls' education at all levels, and therefore the Report elaborates on the right to education in practice (Section 3), and identifies the main factors limiting girls' access to education. These are placed in a country-specific context, considering girls' access to education in Pakistan (Section 4). Hampered by numerous ongoing internal conflicts, the UN Special Envoy on Global Education, Gordon Brown has particularly highlighted Pakistan

when urging implementation of the MDGs concerning education before 2015.[2] The Report concludes with recommendations aimed at ensuring that the right of girls to education is realised and fulfilled. The most important objective of this Report is to contribute to a better understanding of the status of access to education for girls worldwide and in Pakistan, in order to ensure that girls such as Malala are able to go to school, raise their voices and realise their dreams.

This Report is based on extensive desk research drawing on literature, newspapers, online sources, journals and reports of international organisations such as United Nations International Children's Emergency Fund (UNICEF), Plan International, Save the Children and United Nations Educational, Scientific and Cultural Organization (UNESCO). In addition, a number of interviews have been conducted with education experts working in academia and international and local NGOs.

Section 2: The legal framework of girls' right to education

2.1 The right to education

Article 28, Convention on the Rights of the Child (CRC)

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

The right to education is enshrined in Article 28 of the CRC. All children have a right to primary, secondary and higher education. The strictest obligation for states is that primary education should be free and compulsory. Even though states' obligations regarding secondary and higher education are less strictly formulated, they are not considered less important. Secondary and vocational education should be made available and accessible and higher education must be accessible "on the basis of capacity." [3] The CRC applies to all children – that is, people below the age of 18 - and allows no discrimination on the basis of gender (Article 2 CRC). However, the CRC is not explicit as to a minimum age for the completion of education. Similar provisions on the right to education have been enshrined in many international documents, and it can therefore be said that education is a core human right. All these documents affirm that education should be available to every child without discrimination.

The right to education should be realised in accordance with the four guiding principles of the CRC, as recognised by the UN Committee on the Rights of the Child (CRC Committee). These are embodied in Article 2 'non-discrimination', Article 3 'the best interests of the child', Article 6 'the right to life, survival and development', and Article 12 'the right to express views and have them taken into account' (respect for the views of the child).

The importance of education is underscored by the last three general principles mentioned above, together with Article 29 of the CRC. It is in the best interests of all children to have access to free, good quality education.[4] The CRC Committee, which provides guidance on and monitors implementation of the CRC, states a child should be empowered to develop his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence.[5] Education is not only about being educated, but serves many other purposes; it allows the development of life experience and individual personality, talents and abilities and to live a full and satisfying life within society.[6] It enables children to choose what kind of citizen they want to become. Furthermore, children have a right to be heard and to express their views. In other words, children should be allowed to express their aspiration to be educated and this aspiration should be given due weight.[7] Finally, education enables the child to exercise his or her rights. In other words, the realisation of the right to education strengthens other rights. The right to education is therefore interrelated with all other rights of the child, including for example the right to freedom of expression (Article 13 CRC) and the right to freedom of thought (Article 14 CRC).

2.2 Gender equality in education

The right to education means that education should be available for every child. However, in many parts of the world gender inequality is widespread, affecting access to education for girls. The term 'gender' supposes a set of differences between men and women, and similar universal stereotypes of women and men have developed

all over the world. One of these universal gender stereotypes is that women have a different role from men in society: women are often seen as more suited to domestic life than to education or a professional career in their own right.[8]

"There are still biased attitudes towards girls' education and some parents still believe that girls' education has no value and they (girls) cannot succeed even when educated." Father, Ethiopia.[9]

However, over recent decades much attention has been paid to the notion of gender equality. Education is considered to be a key tool to achieving this equality. Many countries have embraced the notion of gender equality on a formal level by adopting international conventions with binding obligations to achieve gender equality, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and developing regional and local programmes to eradicate gender inequality.

Denial of access to education for girls can be seen as a breach of the CRC's non-discrimination principle. This non-discrimination principle states that: "States parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status" (Article 2). The CRC Committee adds that: "Discrimination whether it is overt or hidden, offends the human dignity of the child and is capable of undermining or even destroying the capacity of the child to benefit from educational opportunities." [10]

Article 10 of CEDAW specifies the non-discrimination principle with regard to education by stating that: "States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women". The Human Rights Committee also acknowledges that gender inequality is entrenched in traditional, historical, cultural and religious customs. Nevertheless, it considers it is essential to understand that cultural and religious grounds are neither a justification for the denial of access to education for girls.[11] This is also underscored in Article 5 of CEDAW:

"States Parties shall take appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."

With regard to the quality of education available to girls, the CRC Committee states that "gender discrimination can be reinforced by practices such as a curriculum which is inconsistent with the principles of gender equality, by arrangements which limit the benefits girls can obtain from the educational opportunities offered, and by unsafe or unfriendly environments which discourage girls' participation." [12]

2.3 A tool to achieve gender equality

Former Special Rapporteur on the right to education, the late Katarina Tomasevski, states that for the effective implementation of primary education, the following features are necessary with regard to education:

- availability
- accessibility
- acceptability
- adaptability

This can be summarised as the 4-A scheme.[13] The 4-A scheme is not a compulsory model, but can assist States Parties to fulfil their obligations under international human rights law to implement the right to education. Implementation of this scheme adequately accommodates the right to education for girls. Many elements in this scheme are focus points to guide states in successfully overcoming the many hurdles standing in the way of many girls' rights to education. This has been affirmed by the Committee on Economic, Cultural and Social Rights (CESCR) in its General Comment No. 14.[14]

The first feature of the 4-A scheme is that education should be made available. **Availability** is a two-fold feature: the first factor is the establishment of schools,

and the second is the availability of free primary and affordable education for all school-age children.

The establishment of schools can be achieved by utilising different school system models. Such models are a network of public schools; institutions supported by private actors; or a mixture of both types of schools. The latter is the model most commonly used by states.[15] School systems must meet a minimum level of quality, which must be stipulated clearly in national law. What constitutes minimum facilities is articulated by the CESCR in its General comment No. 13: "all institutions and programs are likely to require buildings or other protection from the elements, adequate sanitation facilities, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials." [16] For developed states, the minimum level of educational facilities will include more advanced facilities such as computer services.[17] States can implement the right to education progressively in accordance with their developmental context.[18]

Furthermore, education should be made available through the provision of free primary-level school education and affordable secondary-level school education. In addition to providing free education, other hidden expenses associated with education should be avoided, such as mandatory school uniforms and textbooks.[19]

The second feature of the 4-A scheme is **accessibility**: "educational institutions and programs have to be accessible to everyone, without discrimination, within the jurisdiction of the State party." [20] The CESCR Committee distinguishes three different elements of education accessibility. The first element includes the non-discrimination principle: "education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds." [21] Particular attention should be paid to vulnerable groups, including girls (see also Section 2.2).[22] The second element includes the physical accessibility of education, and means that education should be provided within a reasonable and safe distance, through convenient geographical locations, or accessible through the use of modern technology (for example online distance learning programmes).[23] This is of particular importance for girls in rural areas as further explored in the next Section. Special measures should be taken to make schools accessible for children, for example through providing transport.[24] The third element is economic accessibility; the school must be affordable for everyone, meaning free primary education and affordable secondary education.[25]

The third feature of the 4 A-scheme is **acceptability**. Acceptability requires a guaranteed quality of education, minimum standards of health and safety, and professional requirements for teachers which are set in a standardised manner, monitored and enforced by the government.[26] Governments should establish a legislative framework for education, which will set a threshold for quality of education.[27] The CRC Committee states that the quality of education includes having "well-trained teachers and other professionals working in different education-related settings, as well as a child-friendly environment and appropriate teaching and learning methods, taking into consideration that education is not only an investment in the future, but also an opportunity for joyful activities, respect, participation and fulfilment of ambitions." [28]

The last feature of the 4-A scheme is **adaptability**. The aim of education is to prepare children with essential skills for life, as described by the General Comment No. 1 of the CRC.[29] This means that education should be adaptable to "the changing needs of society and contribute to challenging inequalities, such as gender discrimination, and that it can be adapted locally to suit specific contexts." [30] Article 29 (under e and d CRC) states that one of the things that education of children shall be directed to is "the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin", and Article 29(1)(e) says that this includes education directed to "the development of respect for the natural environment". Education empowers children as citizens to develop a human-rights friendly approach to the changing needs of society driven by globalisation and new technology. Such an approach means children become aware of gender equality at a young age and will be powerful in ensuring children, including boys, are accepting of gender equality from a young age through to later in life.

"I have taken the part of auto mechanic. It is the first time to get a lady in auto mechanics in this secondary school. It's the first time," says Gloria age 18 from Sudan proudly.[31]

2.4 Stakeholders of the right of girls to education

In order to adequately implement the right to education for all children, several stakeholders and their responsibilities are important to identify. States, parents and children are the main stakeholders of the right to education. However, advancing access to education also requires the involvement of other relevant stakeholders, such as communities and community based groups, and local and international NGOs.

States

States have the primary responsibility for delivering and protecting the right to education – they are the key duty bearer with the responsibility to ensure that this right is realised. They should undertake all appropriate legislative and administrative measures for the implementation of the right to education for all children, as per Article 4 of the CRC. In order to implement the right to education, a state should develop a national strategy.[32] According to Article 28 of the CRC, states should demonstrate that they have implemented economic, social and cultural rights "to the maximum extent of their available resources" and where necessary, are supported through international cooperation. This acknowledges that limitations on states' abilities to provide education for all children may exist; however, the CESCR has stated that economic, financial or other difficulties "cannot relieve States Parties of their obligation to adopt and submit a plan of action to the Committee." [33] Accordingly, it must be clear that a state is progressively implementing the 4-A scheme to the maximum extent of their available resources. In the context of the denial of education for girls, this means that all appropriate measures should be taken to change discriminatory behaviours, such as strategic planning, legislation, monitoring, awareness-raising, education, resource allocation and information campaigns.[34] Given the interrelationship between gender inequality and cultural and religious customs, states should undertake measures to ensure that gender inequality is not justified based on cultural or religious grounds. Specific mention of these measures should be made by States Parties in fulfilling their mandatory periodic reporting requirements under relevant international instruments.[35]

A multidisciplinary approach to the development of innovative measures for improving access to education for all girls is necessary. States should include all stakeholders in their programmes to achieve gender equality within education. This means not only state officials, but landowners, chiefs, religious leaders, parents and girls should be trained in the importance of education, and ways to ensure its availability. Human rights experts and other professionals including psychologists, sociologists and anthropologists should be engaged in efforts to improve access to education. Such professionals will provide relevant expertise around changing gender-based mindsets in a particular population.[36] For instance, police and members of the judiciary should be trained in identifying when rules of ethnic or cultural groups might conflict with women's and girls' rights. Traditional cultural or religious rules or beliefs can lead to discrimination against women and girls, and in legal disputes judges may give these traditional rules precedence over the protection of women and girls from discrimination.[37] This is because public authorities may believe that women consciously choose to belong to certain groups, and can leave or break ties of their own volition. However, for many women and girls who lack education and income, and have who have strong family and community ties, it is often difficult to break out of such communities.[38]

Parents and legal guardians

Parents and legal guardians among other family and community members play an important role in realising the right of children to education. They have the primary responsibility for the upbringing of their child and the states have an obligation "to provide assistance to parents and legal guardians in the performance of this role, and shall ensure the development of institutions, facilities and services for the care of children", according Article 18 (1) and (2) of the CRC. The responsibility entails that parents or legal guardians have the obligation "to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of his or her rights" (Article 5 CRC). In regard to girls' education, this means

parents have the responsibility to direct and guide girls to exercise their right to education and should exercise this responsibility to contribute to the achievement of gender equality.

Discrimination against girls often starts in family spheres, and this may have a large bearing on the development of the rest of a girl's life. In many regions of the world, girls are conditioned through familial relationships to think that they have a certain predestined role in society and are not meant to be educated. Consequently, girls can sometimes adopt practices which reinforce their subordination to men. The role of men in entrenching such gender roles is a further factor which must be acknowledged. It is essential that parents are educated about gender equality and the benefits of girls' education, and in receiving such education, become aware of their own practices, seeking other options for their children as appropriate.[39] A positive outcome of such understanding is that parents will be better informed about the benefits of girls' education and will be encouraged to send their daughters to school. Simultaneously, girls' brothers will accept the idea of girls' education and once they are fathers themselves, will lead to them treating their children equally. This is an essential part of breaking the cycle of traditional patterns driving gender inequality in many parts of the world today.

Girls

The second stakeholder is the child – for the purposes of the focus of this Report, the girl-child – who is the holder of the right to education. However, as a rights-holder, girls have a corresponding responsibility to exercise this right.[40] This means that the girl has the responsibility to make use of her right to education if this is provided to her; in particular primary education must be compulsory, according to Article 28 CRC. However, in situations where education is not provided by the state or parents do not encourage or allow girls to go to school, girls can seek to raise their voices to claim the right to education. In this regard, it is crucial that every girl is properly informed about her rights (see also Article 17 CRC).

Innovative or new school programmes, including human rights education, should be introduced. These programmes should aim to increase the autonomy of girls through educational empowerment, so that they become aware of their rights and the possibilities which exist outside the scope of the expectations of their parents and community. Teachers should be educated in identifying patterns indicative of gender discrimination, including in the context of education. In addition, they should be trained how to make children and parents aware of these patterns and their implications for girls in reaching their fullest potential.[41] If this is done efficiently, more girls such as Malala will stand up and raise their voices, seeking to be educated.

Section 3: Girls' right to education in practice

3.1 The status of gender equality in practice

As highlighted in the previous Section, a strong international legal framework affirms girls' rights to have access to education. Access to education for girls is promoted through many initiatives such as the Millennium Development Goals (MDGs) and the Education for All movement led by UNESCO, aiming for gender parity within education before 2015. In September 2012, the United Nations Secretary-General initiated the Global Education First Initiative, which focuses on creating a final push towards the achievement of international education targets by 2015.[42]

Status updates: Millennium Development Goals 2 and 3

Goal 2: Ensure that by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary school

- Enrolment in primary education in developing regions has increased from 82 per cent in 1999 to 90 per cent in 2010
- In 2011, still 57 million children of primary school-age were out of school
- Globally, 123 million youth of the aged between 15 to 24 lack basic reading and writing skills, of whom 61 per cent are young women

Goal 3: Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015

- In many countries, gender inequality is still at stake and women are discriminated in access to education and work. For example in every developing region, women have less secure jobs with fewer social benefits than men
- Violence against women remains challenging to achieve gender equality over all
- Poverty is a major challenge to have access to secondary school, especially for older girls [43]

As illustrated by the status updates on MDGs 2 and 3, the world continues to face many obstacles to achieve the MDGs before 2015. Within primary education alone, in many countries, gender equality remains a serious challenge; 68 countries still need to achieve this goal.[44] It has even been said that various countries did not only miss the deadline of 2005, but will also likely miss the extended deadline of 2015.[45] Globally, there are still 57 million children out of primary school, of whom 32 million are girls. The fact remains that girls' education is often not seen as a priority by many countries.[46] Despite the many international, regional and local regulations and programmes on gender equality, a lack of translation of these commitments into practice persists, limiting many girls' ability to achieve to their fullest potential.

3.2 Challenges in girls' education

In order to overcome gender inequality and ensure access to education for girls, several challenges need to be addressed by stakeholders. In addition to primary challenges such as cultural customs, poverty and insecurity, many other factors may play a role such as low quality of education and political unrest. These challenges have been identified in particular reports of international NGOs working in this area of expertise, including Plan International and UNESCO and are discussed further below.[47]

3.2.1. Cultural customs

"Culture shapes the way we see the world. It therefore has the capacity to bring about the change of attitudes needed to ensure peace and sustainable development which, we know, form the only possible way forward for life on planet Earth." [48]

Certain cultural and religious customs mean that in many parts of the world, the role of women in society is largely limited to the domestic sphere.[49] As a result, girls' educational achievements are expected to be lower than boys' educational achievements.[50] 48 percent of parents responding to a survey in Mali, said they would prefer to send their son to school, compared to 28 percent who would prefer to send their daughter to school.[51] A larger discrepancy has been found to exist in Ghana, where 50 percent would choose to send their son to school compared with 10 percent who would choose to send their daughter to school.[52] Such reluctance may

be explained by recognising that parents may be afraid that their daughter will not be able to marry if she is educated. For instance, in Kenya and Ethiopia men were hesitant to marry an educated girl, unless they enjoyed education themselves.[53] Parents may not be convinced of the benefits of girls' education, as boys will become responsible for the income and care of their family, whereas girls will likely go to another family through marriage.[54]

Such perceptions of the role of women can present a serious obstacle for girls to have access to education. Therefore, understanding relevant cultural perceptions of the role of women is necessary to formulate actions to address and overcome gender inequality. Culture is often seen as something which cannot be changed easily. However, with properly formulated and targeted education programmes, culture can adapt as it is both flexible and dynamic. Culture changes over time and can be influenced by many factors. Culture is something organisations and governments can leverage to change the gender-biased perception of the role of women in society.[55] This can be done through measures such as building awareness amongst communities by holding stakeholder dialogues with chiefs, parents, including girls.[56] It is crucial to recognise that girls all around the world are eager to escape traditional gender roles and want to be educated. Pramila, 15 years old, from Nepal is determined to become a teacher when she grows up so she can help her community. To her, education is the most important thing, and she expresses her desire for education, saying:

"We can be doctors, engineers and teachers if we study hard. Education is an instrument that can guide people to a better life." [57]

3.2.2 Poverty

Poverty is another important factor contributing to the denial of access to education for girls in many parts of the world.[58] Parents have to make economic choices based on the situation they are in, and a state of poverty may lead them to make decisions which result in their daughters being involved in child labour and or being subjected to child marriage.

3.2.2.1 Child labour

Due to living in a state of poverty, children in many parts of the world, particularly in the developing world, may need to work in the marketplace, carrying loads, weaving carpets, working in restaurants or on the land. Their labour is often intended to provide for the primary needs of their families, such as shelter and food. After paying for their most primary needs, often no money remains for education.[59] Child labour especially affects girls' education, as parents in many instances prefer to send male children to school. Girls' education is a lower priority and they are in many instances kept home to do domestic or other work. The priority given to boys' education is also reflected in fewer job opportunities for girls.

"Because of poverty, I have had many problems in keeping up my education," says Pramila, "My family couldn't afford the things you need for school, so my father decided to send me to work as a kamalari (child servant)." [60] *"Often, the girls don't get the stationery they need because their families cannot afford it. Many of the parents are illiterate and don't see girls' education as important. Those who leave school have to work to survive,"* explains Pramila.[61]

3.2.2.2 Child marriage

In some cultures and regions of the world, girls may be subjected to child marriage which often has a direct impact on access to education. Many of these girls will drop out of school.[62] In 2010, 67 million women aged 20-24 worldwide were married before the age of 18, in many cases against their will. The United Nations Population Fund (UNFPA) has expressed concern that in the next decade 14.2 million girls will be married at a young age every year, resulting in 39,000 girls getting married each day. If no action is taken to combat the practice of child marriage, this will increase to 15.1 million girls being subject to child marriage per year by 2021.[63]

There are two key drivers leading to child marriage: financial reasons and cultural practices. In many cultures where child marriage is a practice which takes place on a regular basis, the child's family receives a dowry, which can be utilised to pay off debts. One child less in the family household will also mean one person less to feed. Moreover, in such cultures, marriage is often considered

the best way to protect a girl's future and wealth.[64] Plan International states that "the prevalence of child marriage correlates with levels of household wealth – as wealth increases, child marriage gradually declines." [65]

A mother from Egypt states: *"If my daughter gets married to a rich man or even a craftsman, he will take care of her. He will feed her and she will be well dressed. This will give me the opportunity to take care of the other siblings."* [66]

3.2.2.3 Cost of education

Another factor which prevents access to education in practice is the perception that education is expensive, despite the obligation to provide free universal primary education. A 2005 survey by the World Bank found that out of 93 countries, only 16 provided free education, despite the vast majority having constitutional provisions guaranteeing free education.[67] This highlights the reality that tuition fees are often sought from parents. Costs of education form an additional burden on poor families; therefore it is very important to make school affordable for all families. After Tanzania abolished its tuition fees for primary education in 2001, the number of children aged 5 to 9 enrolled at primary school increased from 59 percent to 94 percent.[68] As well as tuition fees, in some school systems, parents are asked to pay additional hidden costs, such as for school uniforms or fees for sometimes fake 'school committees'.

"When my child is in school… I have to pay for his uniforms, so money is given out while it is not coming in. (…) School is very costly." Parent, Nigeria.[69]

Some governments have taken measures to abolish the practice of wearing school uniforms, to minimise additional costs associated with education. However, formally withdrawing school uniform policies does not mean that this automatically translates into practice so that uniforms are not used. Wearing a school uniform is culturally deep-rooted and many children will continue to use school uniforms. UNESCO stresses that the absence of a school uniform can in fact be a particular problem for girls, resulting in drop outs.[70] A case study in Timor Leste illustrates that seven years after the abolishment of the practice of wearing school uniforms, they were still used. They still accounted for 52 percent of the total per-child cost of primary school among the poorest 20 percent of households.[71] Therefore, where uniforms have been compulsory for a long time, formally abolishing the requirement to wear a uniform will not necessarily provide the solution.[72] A better solution would be to provide low cost uniforms. In Kenya, in a NGO-sponsored project through which students received low cost school uniforms, the absence rate dropped from 15 percent to 9 percent.[73]

3.2.3 Safety risks for girls

Another challenge to realising the right to education is the safety of girls. Compared to boys, girls are more likely to be victims of discrimination, sexual abuse, punishment and social intolerance.[74] The safety issue is even more challenging in rural areas where schools are established in geographical locations which are difficult to reach and appropriate transport is lacking.[75] Girls will often have to walk to reach school, and they are easier exposed to sexual violence or bullying by men or boys. Many parents in such areas may choose to keep their girls at home rather than risking their safety.[76]

Moreover, in the school environment, the risk exists for girls to be harassed by male teachers and boys in mixed sanitation facilities. Such harassment is often undertaken in return for better grades or to limit financial costs.[77] Community-based research by Plan International in Africa emphasizes that this practice is widespread and widely acknowledged.[78] These practices expose girls to the risk of early and unintended pregnancy and sexually transmitted infections including hiv/aids which simultaneously reduces girls' chances of completing their education. Girls may even be excluded from education for being pregnant.[79] Additionally, sexual violence plays a role in limiting girls' access to education in some parts of the world. Due to significant taboo around sexual violence, girls will sometimes choose to drop out of school rather than lodge a complaint. A survey in Liberia found that 47 percent of parents agreed this was the case.[80]

"The first signs that girls were engaging in transactional sex were their low levels of concentration in class. The next thing you see is the girl being sent away from school. Once the girls get pregnant, that is the end of their education." Male student, Uganda.[81]

Given the above, it is important that legal frameworks governing education stipulate that schools should be located in geographic locations which are accessible for their students, and that appropriate transport links should be established to facilitate access. In some places, single-sex schools, and schools for girls where the teaching staff is all-female could serve to better protect girls' safety. Arguably this could engender greater confidence among girls' parents, convincing them to send their daughters to school. Nevertheless, female teachers are still underrepresented in secondary schools, even though they are highly important in encouraging girls' education. In some regions of the world, female teachers are sometimes constrained to work in pre-primary education or lower primary education only.[82] According to Plan International, 76 percent of pre-primary teachers are female in sub-Saharan Africa, compared to just 30 per cent in secondary schools. In South Asia, 46 percent of primary teachers are female, compared to 39 percent at secondary school.[83]

3.3 What can we learn from different state approaches to education?

Having acknowledged the challenges to realising the right to education for girls in practice, a number of case studies – from India, Brazil and Turkey – illustrate some best practice approaches to making education for girls more reality than fiction.

A case study in India shows that making education compulsory should be accompanied with an effective implementation plan and complaint mechanisms. India reduced the number of out-of-school children from 20 million in 2000 to 2 million in 2008. An Indian Supreme Court decision in 1993 took a strong position on the importance of education for all children, stating that "no one can live with dignity without education, and that education should therefore be a fundamental right." [84] In 2002, India amended its Constitution, making education a fundamental right. However, it took seven years before the Government implemented the Right of Children to Free and Compulsory Education Act. Institutions and individuals can be held responsible for instances of non-compliance with this Act. In 2012, the National Commission for Protection of Child Rights, which is responsible for monitoring and implementing the right, received 2,850 complaints on education related matters, including discrimination, admission procedures, teacher attendance, reserved places in private schools, charging of fees and inadequate infrastructure. However, only one in four complaints was addressed and remedied. The experience in India demonstrates that guaranteeing the right of compulsory education is a large step for a state; however, rigorous implementation policies and methods, and transparent and clear rules for monitoring must be developed for the right to education to be realised.[85]

Despite critical notes, the Brazilian programme Bolsa Família provides a useful case study how to overcome the burden of poverty on education. Similar policies exist in other Latin American countries, such as Mexico (Oportunidades), and Chile (Chile Solidario). Bolsa Família provides family grants to the poorest families in Brazil. The crucial part of the programme is that to be eligible to receive such grants, parents are obliged to send their children to school. The programme aims to improve the living standard of poor families and to provide them with a better future, lifting them out of poverty. The impact of the programme has been considerable; in 2011 more than 12,000 families, including their children who went to school, have been beneficiaries of the programme.[86] The impact on girls is especially significant. Girls aged between 15 and 17 face the largest risk of dropping out of school, however due to Bolsa Família the chance that a girl will remain enrolled in school increased by 19 percent.[87] Through the programme, the chance of girls having to repeat classes is also lower.

The role of the media as an effective tool to inform the public about gender equality has been highlighted in Turkey. Despite the provision of free and compulsory education by the Turkish Government, the provision of education in practice has been challenging due to large numbers of extremely conservative families and widespread poverty. The enrolment of children in education is extremely low, especially for girls. To combat this problem, leading media companies, in cooperation with the government and NGOs such as UNICEF, initiated a campaign with the aim of promoting girls' education. The aim was to achieve 100 percent enrolment in primary education for girls between 6-14 years old. In June 2003, the campaign was launched in ten cities in areas where female primary school

enrolment was lowest. In 2006, it was launched country-wide. As a result, 81 percent of the total target number of girls enrolled which was set at the beginning of the campaign was achieved.[88]

These examples from India, Brazil and Turkey highlight some innovative approaches to making education available on a more equal basis for both girls and boys, and for children who come from poor socio-economic backgrounds. They emphasise that the right to compulsory education can only be effectively put into practice with clear implementation methods and strong monitoring mechanisms. Furthermore, they highlight that with the right incentives in place, or the building of public awareness, the right to education is possible to achieve on a more universal basis, which will improve outcomes not only for girls, but for their families and communities too.

Section 4: Girls' access to education from a country perspective: Pakistan

In Pakistan, more than three million girls do not attend school.[89] This means Pakistan is ranked second worst in the world in realising the right of girls to education. The situation of Pakistan exemplifies the multitude of reasons which make the right to education for girls difficult to implement. In addition to the challenges discussed in the previous Section, Pakistan has country specific challenges such as the internal conflict between the Taliban and the Pakistan Government, which pose further difficulties in realising the right to education for girls.

4.1 Legal framework

Pakistan has an obligation to implement the right to education in its national legal framework. This is because Pakistan has ratified all relevant international documents such as the CRC, CEDAW and the ICESCR, which require this right to be realised at the national level. It is worth noting that Pakistan made a general reservation when it ratified the CRC that it would interpret the provisions of the CRC according to the principles of Islamic Laws and values. However, Pakistan withdrew this reservation in 1997, whilst some other Islamic countries have maintained such a reservation.[90] Pakistan amended its Constitution in 2011, to include education as a fundamental right.

> *"The State shall provide free and compulsory education to all children of the age of five to sixteen years in such manner as may be determined by law"* (Article 25-A, Chapter no 1: Fundamental Rights, Constitution of Pakistan 1973) *and "remove illiteracy and provide free and compulsory secondary education within minimum possible period"* (Article 37B, Chapter no 2: Fundamental Rights, Constitution of Pakistan 1973).

As a result of this amendment, Pakistan has clearly committed at a legislative level to providing free and compulsory education to children between the ages of 5 to 16. Following this amendment in 2011, Pakistan delegated the power to implement and monitor the right to education to the federal provinces.[91] Provinces, such as Punjab and the KPK province have developed a concept draft Act for the implementation of the right to education. However due to upcoming elections, the process has been deferred.[92]

Moreover, Pakistan developed a plan of action entitled 'National Education Policy 2009', in accordance with the CRC and the ICESCR. This policy aims to promote the education-related MDGs. It sets goals for gender equality in education, such as: "food based incentives shall be introduced to increase enrolment and improve retention and completion rates, especially for girls" [93]; "priority shall be given to those locations where the ratio of secondary schools is low" [94]; "special literacy skills programmes shall target older child labourers, boys and girls (14 to 17 years) and at last, special educational stipends shall be introduced to rehabilitate child labourers especially for girls." [95]

However, it must be noted that the promotion of gender equality has never been a large focus in Pakistan. Attempts to form a Commission on Gender Equality have repeatedly failed. In 2010, the Ministry of Women and Development did not have a minister and had only limited staff.[96] This lack of focus on the promotion of gender equality is, however, only one contributing factor to the negative status of the implementation of girls' education in Pakistan, as discussed below.

4.2 Status of implementation of girls' education

It is essential to recognise that gender equality in Pakistan is relatively advanced in urban areas, where, for example many women hold seats in Parliament. However, in rural areas widespread inequality persists [97] and only one third of girls from the poorest households are enrolled in school.[98] The High Commission for Human Rights is especially concerned about the low literacy rates of women in areas such as the Federally Administered Tribal Areas (FATA).[99] In FATA, the KPK province and Baluchistan, girls remain underrepresented in the education system, due to the fact that many are

not allowed to go to school on religious and cultural grounds and there is a shortage of girls secondary schools.[100] Of the 163,000 primary schools in Pakistan, only 40,000 are girls' schools, of which 15,000 are located in Punjab Province, 13,000 in Sind, 8,000 in the KPK province, and 4,000 in Baluchistan. Numbers are even lower for secondary education. Of the 14,000 lower secondary schools, only 5,000 are for girls and of the 10,000 higher secondary schools, only are 3,000 for girls.[101] This shortage of girls schools results in low literacy rates among girls and women. For instance in Baluchistan and the KPK province, this is reflected in extremely low female literacy rates of only 3 to 8 percent.[102]

Predictably, during the Human Rights Council Universal Periodic Review of Pakistan in 2012, a process of the Human Rights Council providing a review of the human rights records of all UN Member States, NGOs expressed concerns that it is unlikely Pakistan will meet the MDG on universal primary education by 2015.[103] Pakistan lags far behind in this area compared to neighbouring South Asian countries with comparable income. Pakistan ranks at 119 on UNESCO's Education for All Development Index, out of 127 assessed countries.[104] The next paragraph explains some of the main reasons behind Pakistan's slow implementation of the education-related MDGs.

4.3 Challenges in girls' education

Besides the general challenges to realising the right to education for girls discussed in Section 3, including cultural customs, poverty and safety risks, other country specific challenges, such as internal conflict are present in Pakistan. These challenges explain the low level of realisation of girls' education. Understanding these causes and challenges allows the identification of possible solutions to implement girls' education effectively and in doing so, achieving the MDGs. The scope of this Report has not enabled full and comprehensive research at the country level; however, such a level of research would be useful to further investigate aspects such as low quality of education, lack of pre-primary schools especially for girls and weak accountability system for teachers. In addition, it must be recognised that Pakistan itself is made up of many different cultural groups and this Report highlights the most essential challenges in some parts of Pakistan which were identified in the course of research.

4.3.1 Cultural and religious customs

This Report has highlighted that culture often has a large impact on the realisation of the right to education for girls. This is true in Pakistan. In Pakistan, widespread gender-inequality exists in local cultural customs. Pakistan is a patriarchal society, and a strong gender-biased perception of women exists, where women are subordinate to men.[105] Gender-biased practices occur with greater prevalence in rural areas, where higher priority is often placed on marriage than education. Women and girls are considered to be property of the family and their husbands, and are largely excluded from decision making processes.[106] This perception on the role of women can be explained by two key factors: religious customs and cultural customs. It is essential to understand that for these tribes and indigenous communities, religion and local customs are interrelated to each other; they are both equally applicable.[107] Both religious and cultural customs are expanded on further below, in relation to the role of women and girls in Pakistan.

4.3.1.1 Religious customs

Islam highly values education for both sexes; according to the Prophet Mohammed, "to seek knowledge is the duty of every Muslim, both man and women." [108] However, sometimes a restrictive interpretation of the Qur'an limits the right to education for girls. Many conservative families consider marriages as a higher priority than education. This view takes the stance that girls should be educated at home, but only with regard to duties such as domestic work. This belief is upheld by some religious leaders and institutions which have strong influence over whether opportunities for girls to be educated exist, such as the Taliban.[109]

4.3.1.2 Cultural customs

This perception of the role of women as restricted to the domestic sphere only is also strongly embedded in many cultural customs, given their endurance through the evolution of culture. Sometimes these are written down in codes, such as the Pasthunwali of the Pashtu culture, living in the FATA, the KPK province and Baluchistan. The following cultural customs illustrate the subordinated role of women in rural areas of Pakistan.

In the Pashtu culture, common abusive practices include

badal and honour killings. These practices show the role of women in such communities. Badal occurs when a dispute between two parties arises and is resolved by giving either the daughter or sister to the opposite party as compensation, and she is forced to marry anyone in that family, regardless of age. Honour killings occur in these rural areas, which mean killing a female family member in the name of violating the family's honour.[110] Similar practices can be found in other areas. For instance in Sindt, 266 cases where of women killed in name of the "family honour." [111]

Moreover, concepts of honour and gender boundaries are important to understand in the context of the limitations girls face to get educated. These concepts are relevant in different rural parts of Pakistan, all though cultural differences may exist among various groups. For instance, the Pashtunwali explain these elements as follows. Gender boundaries – the so called purdah - are explained in a way that there should be a physical boundary between men and women. The honour element can be seen in the fact that "if someone offends the rules of the gendered order, then there is reason to act in defence of one's honour." [112] Men may interpret gender boundaries as ´defence of the honour of women´, and may use these boundaries as a way of controlling women.[113] If a woman earns a bad reputation, this will disgrace her entire family. Spaces where men and women are mixed increase the chance of dishonour.[114] Therefore, women have restricted freedom and are often not allowed to go outside the house alone.[115] It can be said that even if parents want to send their daughters to school, it is socially unacceptable to leave the house for education.[116] Parents are often very afraid of the prospect that a girl will lose her honour if she is behaving inappropriately in the eyes of the community. A girl can easily lose her honour through being a victim of harassment or through being seen to be exposed to 'modern views' such as non-arranged marriages and pre-marital sexual activity.[117]

When a girl is seen to be behaving inappropriately, this can be punished by extreme measures, for example, having acid thrown in her face. During 2013, already over 150 acid attacks have been reported. However, the true number is arguably higher as many girls are often afraid of reporting these crimes.[118] An incident in the province of Kashmir illustrates this practice:

"In June 2013, an incident illustrates the importance of honour, where a couple threw acid over their 15-year-old daughter when she looked at a boy. The girl had burns over 60% of her body. Her father Muhammad afar told the BBC what happened: *"There was a boy who came by on a motorcycle. She turned to look at him twice. I told her before not to do that, it's wrong. People talk about us because our older daughter was the same way."* The couple stated that an older daughter had already disgraced the family and they did not want to be dishonoured again." [119]

These practices illustrate some of the extreme restrictions on women's freedom in rural areas in Pakistan, related to expectation around marriage, gender boundaries, and the concept of family honour. These can all have highly limiting effect on the ability of girls to access education.

4.3.1.3 Cultural and religious customs versus national law

Intertwined with cultural customs, religion plays an important role in daily life in Pakistan. 90 percent of the total population is Muslim. Research conducted in the FATA, a predominantly rural area, highlights the importance of religion. 55.3 percent of people living in FATA who responded to a recent study believe that religion should be a moral code that everyone should follow, and only 8.8 percent of respondents indicated that religion should uphold women's rights.[120] This research therefore indicates that half of the population who took part in the study believe that religion is 'the moral code by which to live one's culture'. Given the dominance of such views in rural areas of Pakistan, national law does not tend to have a large impact in these areas. Issues related to education will often be solved through councils, made up of the elders of a community.[121] The elderly exercise a large degree of control over education in rural areas in Pakistan. They allocate the budget for education themselves, often driven by political interests. Parents have limited information on the education of their children. They are often poorly educated and do not see the benefits of education and are therefore more easily influenced.[122] Given this cultural construct in rural areas, cultural and religious norms will often be a larger determining factor in the life of girls than national law.

4.3.2 Poverty

As indicated in Section 3, at a general level, poverty limits access to education for girls, resulting in child marriages and child labour. This is the case in Pakistan as well, where nearly a quarter of Pakistan's population lives below the poverty line. Child labour is an issue in Pakistan; girls are required to work within the household or on the land. When engaged in land-based labour, this results in a significant number of drop-outs from school during harvest time. Even more concerning is the impact of false labour agencies, which mislead parents by promising them decent work for their children in return for high fees. However, these children often end up in forced labour in domestic servitude, prostitution, unskilled jobs, small shops and other forms of labour. The most significant bonded child labour in Pakistan is in Punjab in the agriculture and brick making sectors.[123] The direct costs of education present a major obstacle for parents looking to send their children to school. Despite the Government providing free education and not charging for school books, parents are asked to pay additional costs for stationery and uniforms which they often cannot afford.[124]

"This is a poor neighbourhood, most men here work as labourers on daily wages while women go to affluent localities to work as housemaids. Each family has around four to six children, and poverty is often the reason why parents don't send their children to school. They want them to work and earn some money even at this tender age." Mr. Raza of the 'Young Champions' initiative of the United Nations Girls' Education Initiative (UNGEI).[125]

Although child marriage is against the law, it remains common practice in many regions of Pakistan, mostly in rural areas. 70 percent of girls are married off by the age of 18, and 20 percent by the age of 13; these numbers are especially high in rural areas.[126] Marrying a daughter off at an early age lowers the costs of a household and dowries paid for the marriage provide additional financial incentives for families.[127]

4.3.3 Safety risks for girls

Considering the strength of cultural gender boundaries in Pakistani society, involving a lack of tolerance of risks to a girls' honour, it is perhaps understandable that the safety of girls is important for parents. However, the safety situation for girls in Pakistan at a more general level is highly challenging. In 2011, Pakistan was reported as the third most dangerous country for women, after Afghanistan and Democratic Republic of the Congo.[128] In Pakistan, girls find themselves subjected to violence both at school and on their way to and from school. Separate girls' schools, in convenient geographical locations, with transport to and from school are essential. However, given the shortage of girls' schools in rural areas (especially secondary schools) and the lack of female teachers, providing safety to girls is difficult to achieve.

Due to the limited number of (secondary) schools, they are often located in geographic locations which are highly remote from girls' homes. In FATA, the number of high schools for girls is nearly one third of the number of high schools for boys.[129] Further, in rural areas there is a lack of transport to those secondary schools. UNESCO adds : "Girls' enrolment drops off sharply with each 500-metre increase in distance from the closest school admitting girls and this 'distance penalty' accounts for 60 percent of the gender gap in enrolments." [130]

Moreover, there is a shortage of female teachers in rural areas. This can be explained by the threat of safety to all females in these areas and these teachers prefer to work elsewhere.[131] Consequently, many parents prefer to keep their daughters at home.[132] Other factors, such as a lack of hostels for teachers and living separately from their families for a long time, also play a role in the absence of female teachers in rural areas.[133]

"For Ferriday from Pakistan, harassment threatened her dreams. When her grandfather saw her being intimidated by boys on her way to class, he took her home, beat her and forced her to drop out of school." [134]

Another factor restricting access to education for girls in Pakistan is the poor quality of education facilities. Parts of buildings and property such as rooftops, boundary walls and toilets are often missing. These are essential for students' safety and hygiene.[135] In 2004, a study by the Sindt Department of Education stressed that of "40,000 primary schools in the province, over 11,000 had no electricity, over 8,500 no water supply, over 11,000 no toilet facilities and boundary wall." [136] The importance of these basic facilities is highly relevant; without them,

high drop-out rates and low enrolment rates are likely.[137]

4.3.4 The impact of internal conflict

A challenge specific to Pakistan and the realisation of girls' rights to education is the internal conflict which is ongoing in several regions of the country, such as the FATA, the KPK province and Baluchistan. The Taliban is active in these areas and uses violent campaigns to gain and maintain control within these areas.[138] However, other parties are also accountable for the unrest in these areas. Amnesty International states that the Pakistan army – in its attempts to oppress the Taliban – is allegedly guilty of unlawful actions such as arbitrary detention and enforced disappearances.[139] Since 2004, the United States of America has also attacked these areas with a programme of so-called 'targeted killings' by unmanned drones, and such attacks have raised human rights concerns, especially due to a lack of transparency surrounding the programme.[140] The presence of drone attacks in Pakistan enhances anti-western propaganda and does not contribute to global acceptance of education, as education for girls in areas affected by such attacks is often seen as a western idea. The on-going conflict situation has resulted in a highly unsafe environment for the populations of the KPK province, FATA and Baluchistan. For instance, in 2008, more than 163,000 registered families and thousands of un-registered families from FATA were forced to flee due to violence.[141] As a result, thousands of children are deprived of basic education.

Examples of most recent attacks on education from January to June 2013, as indicated by Save the Children, Attacks on Education, 2013

- 1 January: five teachers were killed near the town of Swabi in the KPK province
- 26 March: Shahnaz Nazli a teacher in Shahkas on the Afghan border in the Khyber agency of the FATA, was shot dead on her way to work
- 30 March: Abdul Rasheed, a school principal was killed and another eight people were injured, including four children, in a grenade attack and shooting as exam results were distributed at a school in Karachi
- 30 March: a girls' school was blown up in Karachi
- 5 May: a boys' school was blown up in separate attacks in Baluchistan
- 10 May: a government school was blown up in Swabi town in the KPK Province
- 15 June: A bomb on a bus carrying female students exploded, killing 11 people and injuring 22 in Quetta, capital of Balochistan Province. When the survivors were taken to hospital gunmen attacked the hospital.[142]

4.4 Government action

As discussed in Section 2, the state bears the primary responsibility for implementing the right to education. Some of the challenges discussed above with regard to Pakistan can be explained through a lack of Government action directed towards realisation of the right to education for girls. NGOs have expressed concerns that the Government has not made the required financial commitment to realise the right to education.[143] The CRC Committee has also stated that Pakistan has not provided a National Plan of Action for children with sufficient resources for effective implementation.[144] In 2011, Pakistan had a budgetary allocation of 2.6 percent of GDP going towards education. The actual expenditure rate has been even lower, at 2 percent of GDP.[145] Due to a lack of organisation, the money was not adequately allocated.[146] Other factors at the Government level which are obstacles to the realisation of the right to education in Pakistan are bureaucracy, the impact of internal conflict, changing government, the role of landowners and local chiefs, and weak and corrupt governance structures.[147] Pakistan ranks at number 139 out of 176 countries surveyed in Transparency International's Corruption Perceptions Index 2012, with an overall score of 27, meaning the perception of public sector corruption in Pakistan is towards the 'highly corrupt' end of the corruption spectrum.[148]

However, this is not to say that Pakistan has not undertaken some active measures to implement the right to education. As mentioned at the beginning of Section 4, Pakistan has included the right to education in national policy through the National Education Policy 2009, which includes strong policy measures to achieve gender equality. The Government has implemented several education programmes and projects, with varying levels of success. For example, the Education Sector Reform

programmes in Punjab, Sindh and the KPK province in mid-2000 included solutions for overcoming aspects of gender inequality, such as ensuring adequate sanitation and boundary walls at educational facilities. To enhance girls' participation, student stipends were used to reduce drop outs. Monitoring committees were established, such as the Punjab Examination Commission, to improve the quality of education. This increased enrolment levels and reduced drop-out rates. Another innovative measure was the development of 158 Non-Formal Education Centres by the Ministry of Social Welfare, offering free education to child workers. Financial support is offered to students for as long as they want to pursue their education. In 2011, 18,000 former child workers were enrolled.[149]

Recently, after increased attention being given at the international level to the importance of girls' education, the international community pushed for Pakistan to take urgent measures to implement education for all children. As a result, Pakistan's Government has made serious commitments to improving the education situation in its country. Gordon Brown, the UN Special Envoy on Education, has agreed with the president of Pakistan to ensure urgent delivery of education for all and to get Pakistan's five million out-of-school children into education for the first time. The seriousness with which Pakistan is approaching implementation seems demonstrated by its first initiative, to provide cash transfers to three million children of poor families, as long as children in those families go back to school.[150]

Whilst Pakistan seems to be taking some serious steps to implement the right to education, it is unfortunate that MDG 3 is not mentioned specifically in the cooperation between Pakistan and the UN, despite this MDG presenting the most challenging goal for Pakistan, as seen in this Report. Furthermore, Pakistan's Government continues to face many internal and external challenges; a challenge within its control is the national budget allocation for education. More comprehensive international cooperation from the international community might be necessary to ensure that the right to education is realised for all children in Pakistan, in accordance with Article 28(3) and Article 4 of the CRC. Importantly, Gordon Brown has stressed that "the International community will work to provide financial and technical support to Pakistan as long as it also makes a domestic commitment and delivers on putting education first." [151] In addition, it is recommended that the Government seeks cooperation with NGOs in order to ensure the right to education is made a reality.[152]

4.5 The role of non-governmental organisations

In Pakistan, as well as in many other countries where the right to education remains unrealised, the role of NGOs remains an essential part of the puzzle of working to improve the education situation. In Pakistan, it is likely that NGOs can enter into dialogue with chiefs or landowners from a more neutral, non-governmental position. NGOs sometimes have more relevant local knowledge to encourage cultural change towards gender equality and stimulate the implementation of education for girls. In doing so, NGOs can take a bottom-up approach, to lead to the outcome of the community fully understanding the importance of education and agreeing with the need to educate all children. In addition, a number of international organisations, including Plan International, UNICEF, Save the Children, and UNESCO are active in Pakistan, and are concerned with the implementation of the right to education in practice. They are active in developing access to education and lifting the quality of education, by building schools, providing non-formal education and improving the quality and safety of school environments.[153]

One NGO initiative in Pakistan in the area of education that is worthwhile mentioning, is the initiative of Save the Children as they improve school infrastructure in Quetta, Killa Abdullah and Mastung districts, in Baluchistan. The organisation repaired roofs, doors, rooms, walls and sanitation where necessary. It improved access to education by reconstructing buildings and upgrading them, thereby leading to a higher level of education and built, 40 schools where upgraded to 25 middle schools and 15 high schools. In addition, it built 105 pre-primary schools. It was very important for parents to have bordering walls around the school to protect girls' safety and good sanitation with water was also highly important for students' hygiene. These small improvements helped in making parents more confident in sending their daughters to school. This project had a major impact on female students in the region. Out of 86,684 boys and girls who enrolled, 53,957 girls were reached.[154]

Another innovative solution to the education problem in Pakistan is the establishment of informal schools by several local and international organisations, including the Al-Ghazali Education Trust, NGO Resource Centre, Alkhidmat, Plan Pakistan and UNICEF.[155] Informal or non-formal education can be defined as "any organized and sustained educational activities that do not correspond exactly to the definition of formal education." [156] It can therefore take place both within and outside educational institutions, and cater to persons of all ages. Non-formal education programmes do not necessarily follow the 'ladder' system and can differ in terms of duration, level and certification.[157] Non-formal schools turn out to be an alternative for girls in rural areas who do not have access to formal education.

An example of a non-formal educational programme is the Girl Power programme of Plan International Pakistan and the Netherlands, offering dropout girls with an opportunity to continue their education through a fast track model of learning. Under the programme, community based fast track learning centres have been set up providing post primary education facilities until 8th grade level and leading up to 10th grade. After completing the course, girls get a certificate from the Open University of Islamabad, enabling them to go to any formal school. The curriculum also offers them basic life skills, including health, sanitation and sexual and reproductive rights. Girls who drop out due to child marriage and other reasons are also able to participate in education through this Programme. Education is made a community goal, by having Village Education Committees, where children, elderly and parents are included. This provides the opportunity to include all relevant stakeholders in the programme initiatives and convince them of the need to ensure access to education. Such committees talk to parents who are not willing to send their daughters to school, to try and educate them about the value of education to girls' and their families. This programme shows that traditional and cultural perceptions of the role of women and girls can be changed to a large extent, through providing a safe learning environment, with classes in the community, female teachers, and girls being accompanied to school. The Programme also aims to reduce the chance that girls drop out during the harvest, by giving the girls a holiday during these periods and adapting the curriculum and exam periods to fit with their needs. The project has been very successful and within just two years: 8,725 girls aged 10-24 have been enrolled, and 276 Fast Learning Track Centers have been established, in most rural areas in the Punjab districts Chakwal and Vehari.[158]

4.6 Girls' participation

Often girls have to empower themselves in order to convince their parents that they want to realise their right to education; in doing so, they can educate their parents. Education enables girls to break through cultural and religious customs; the desire to have a better future prevails over the fear of being attacked or dishonoured in the community. Sometimes, girls do not experience the same fear as their parents since their desire for education is so strong, as demonstrated by girls such as Malala.

The 'Young Champions' initiative of UNGEI, in partnership with UNICEF Punjab, the Jahandad Society for Community Development (JSCD), and government social welfare and education departments, selects educated youth to promote education in their communities.[159] By having dialogues held and led by children, cultural practices will slowly change, moving towards the advancement of the rights of women and girls.

An illustrative example of the possibility to change cultural patterns is 6 year old Shirin Nayyar, who convinced her parents that she wanted to go to school:

"I am a poor man and did not realize the importance of educating my children. Ever since Shirin started going to school, my thoughts have changed. Now I believe that parents who do not send their children to school commit a major sin. I will work hard and educate all my children so that they could have a better life." Abas Nayvar, Shirin's Father from Pakistan.[160]

Malala is another symbolic example, who despite continued threats after being personally attacked, continued her pledge for education. She broke through the fear of violence to powerful effect: through her advocacy and determination, she put the issue of girls' education in Pakistan, and girls' education globally on the international and national agendas again. 12 July has been announced as 'Malala Day' to shine a spotlight

on all the girls and boys worldwide who do not have access to education. In 2011, Malala was nominated for the International Children's Peace Prize. Her fight did not go unnoticed by the Pakistan government and later in 2011 she won the National Youth Peace Prize in Pakistan. This prize is now even named after Malala: National Malala Peace Prize. And in 2013, Time Magazine named her as one of the 100 most influential persons of the world. To stress the importance of access to education, on 12 July 2013, (Malala's 16th birthday) Malala addressed the United Nations on the importance of the right to education, speaking to world leaders such as UN Secretary-General Ban Ki-moon, Special Envoy for Global Education Gordon Brown and 500 youth delegates from all over the world. On 6th September 2013 Malala received the International Children's Peace Prize 2013 from KidsRights. Winning the International Children's Peace Prize increases Malala's international platform to advocate her important message.

Section 5: Conclusions

It is clear that long-term investment is essential to enable girls, such as Malala, to go to school, raise their voices and realise their dreams. A strong international legal framework establishes the right of all children to education. As outlined in this Report, many key international human rights instruments affirm the importance of ensuring that girls have access to education.

However, worldwide there are still 57 million children not attending primary school, of whom 32 million are girls. Failure to ensure this access cannot be justified on any ground, including gender, religious or cultural grounds. Despite this, gender equality is challenging to achieve in practice, and this impacts heavily on the right of girls to education in many parts of the world. Often, gender inequality is rooted in society through stereotypes that are imbedded in the upbringing. These stereotypes of girls being prepared for the household and motherhood and being the ones that need to receive an education for their future, creates a vicious circle of gender inequality throughout society. The 4-A scheme can be used to detect the hurdles that each society encounters when implementing gender equal education.

As seen in the Report, the reality is that worldwide many countries are finding it extremely difficult to implement education for all on an equal basis, in coherence with the MDGs, before 2015. Several strong challenges stand in the way of realising MDGs 2 and 3; widespread gender inequality and traditional gender stereotypes persist, poverty sometimes forces families to subject their children to child labour or child marriage, and unsafe situations for girls can discourage families from letting their daughters access education. These unsafe situations can vary from lack of female teachers to lack of sanitation to unsafe transport that makes the girls vulnerable to harassment. However, as can be concluded, when these obstructions to access education are attended to and lifted, parents often have no cultural or traditional objection to sending their daughters to school.

The country-specific analysis provided in this Report demonstrates that Pakistan requires a bottom-up approach to ensuring the right to education is realised for girls. To be effective, this must be coupled with a clear legal framework establishing that girls have the right to access to education. However, with 5.1 million children still not attending primary education in Pakistan, the current reality is that the country's Government is arguably failing to implement the right to education adequately. This is due to a lack of budgetary allocation, weak planning, widespread corruption and internal conflict, changing governments and weak control over local chiefs and landowners. Through better planning and directing greater resources to education in relation to gender equality, as well as cooperation with NGOs and international partners, Pakistan would likely improve its ability to implement the right to education. NGOs are uniquely placed often as objective parties, able to broker dialogue with diverse stakeholders, lead innovative projects and programmes, and provide training to government and parents, to emphasise the many benefits of girls' education. Parents, community leaders and girls should be able to express their opinion on education in local education committees. Eventually, these committees will be able to influence the wider community perception of girls' education, to ensure education for all children on an equal basis is accepted, encouraged and embraced.

Understanding local culture, and how this can be a tool for positive change to realise girls' rights to education is also essential in places such as Pakistan. From a cultural perspective, it will be important to ensure that parents are convinced that sending girls to school will not cause conflict with cultural norms. In Pakistan, in addition to the global obstructions to access education that need to be overcome, this means that gender boundaries and the concept of family honour will need to be taken into consideration. In addition, the high security issues for women in Pakistan should be taken into consideration. Schools built in communities provide a lower chance to sexual abuse, better social control and local acceptance of girls' education. It is important that schools at the primary, middle and secondary levels are established, and where necessary, non-formal schools are established which acknowledge that some children cannot avoid

having to work too, either due to financial, family or community pressure.

With regard to the internal conflict which is on-going in Pakistan, the previous steps will make a community stronger to take a position on possible future threats by the Taliban to girls' education. Moreover, the Government should start rebuilding schools in these conflict areas, possibly in cooperation with NGOs. Educated girls are better informed and therefore better equipped to build an independent and strong future for themselves. As Malala replied to the question 'What she would do if she was the president' when interviewed on CNN:

"One day you will see that all the girls are going to school. This is only possible if we raise our voice." Malala Yousafzai.

Section 6: Recommendations

The following general and country-specific recommendations are made to assist with improving the realisation of the right of girls' to education, and to lead towards achieving MDGs 2 and 3.

General recommendations - applicable to all countries where the right to education for girls is not fully realised, including Pakistan:

1. Extensive research into cultural and religious norms in a country (or parts of it) must be undertaken to understand the impact of such norms on gender roles and stereotypes, and their connection to limitations on the right of girls to education;

2. To change stereotype gender roles, school exams and teaching methods must reinforce critical thinking on the role of women in society. Recent female role models must be addressed, emphasising the impact women can make on the world;

3. It is recommendable to encourage the acceptance of girls' education by uniting stakeholders in community committees on education, with the aim to change traditional perceptions of female gender roles including the practice of child marriages. A full range of community stakeholders including parents, elderly and children should be involved. Those Committees can fulfil roles such as supervising the enrolment of girls in school, supporting transport or supervision methods for travel to school, and the provision of suitable teachers;

4. To discourage child labour, governments can provide family grants on the condition that all girls in the family attend school or school should provide flexible schedules that allows girls to combine work with school;

5. To enable access to education, school buildings need to be built within the community in a convenient geographical location, able to be accessed through appropriate transport means by all students, in a safe way;

6. Where necessary, in order to ensure some basic form of education is available, non-formal schools should be established;

7. To ensure the safety of girls accessing education, and to protect girls' hygiene, the following steps should be taken;
   - girls should be accompanied to school or appropriate and safe transport should be provided if the school is far away;
   - female teachers should be adequately trained;
   - separate girls-only schools should be established in areas/countries where mixed school currently do not provide a safe learning environment for girls;
   - school facilities should be provided to ensure girls' safety and hygiene, such as separate female-only sanitation facilities with water, and for the specific case of Pakistan, among the other challenges premises with boundary walls should be provided.

8. The international community, including inter alia UN agencies and civil society organisations including NGOs, and all States Parties to re-dedicate themselves without hesitation as leaders, to the Millennium Compact and to the commitments that they have made to achieve the MDGs, and in particular to the goals related to education and gender equality.

In addition to the above recommendations, it is recommended that in the case of Pakistan:

1. The Government should take adequate steps to provide a safe school environment for girls in the conflict areas the KPK province, FATA and Baluchistan as soon as possible, to ensure girls in these areas have access to education;

2. The Government should start rebuilding schools as soon as possible in the conflict areas of the KPK province, the FATA, and Baluchistan, to ensure

children in these areas have access to education;

3. The Government should make secondary schooling available in convenient geographic locations for girls, through upgrading primary schools to middle schools or secondary schools;

4. The Government should allocate more budget to education or seek cooperation to financially support the realisation of the right to education with other states.

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