

Statement to the 58th Session of the Committee on the Elimination of Discrimination Against Women (CEDAW) Discussion on Girls' and Women's

Right to Education

Australia strongly supports Article 10 of the Convention on the Elimination of All Forms of Discrimination Against Women and is committed to taking specific measures to eliminate discrimination against women to ensure equal rights in the field of education.

The Commonwealth Sex Discrimination Act 1984 provides protection from discrimination on the grounds of sex in educational institutions. Under the Act, it is unlawful for an educational authority to discriminate against a person on the grounds of their sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy or potential pregnancy, or because they are breast feeding.

The Act allows for single-sex education and special measures for the purpose of achieving substantive equality between men and women, including in education. The Act also protects staff and students of educational institutions from sexual harassment. People who have been discriminated against in an educational institution can make a complaint to the Australian Human Rights Commission.

We believe that the protection and promotion of human rights is every nation's responsibility and commend the Committee for its work towards the adoption of a General Recommendation on women's and girls' right to education. Australia considers that the adoption of a General Recommendation will provide valuable guidance to States in interpreting its legal obligations under the Convention.

Australia notes the importance of international law principles applicable to the interpretation of treaty obligations, including that a treaty be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in light of its object and purpose, and, in case of ambiguity, recourse to supplementary means of interpretation, including the preparatory work of the treaty.

Australia re-iterates the need to ensure views included in the General Recommendation reflect the interpretation of the relevant obligations as understood by States Parties to the Convention.

Australia encourages the Committee to consult with other relevant UN Treaty Bodies such as the Committee on the Economic, Social and Cultural Rights and the Committee on the Rights of the Child to ensure a consistent approach is taken to address women and girls' right to education.