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## Position on General Discussion of CEDAW Committee on the right of women and girls to education

The Latin-American and Caribbean Committee for the Defense of Human Rights of Women (CLADEM) is a feminist articulation that brings together individuals and non-governmental organizations in fifteen countries in the region, and has consultative status with the United Nations Economic and Social Council (ECOSOC), the OAS and UNESCO.

We thank the Committee for the opportunity it gives us to participate and provide input as civil society organization around this general discussion on the right to education.

From a look at the concept note prepared by the Committee, this intervention aims to focus on some obstacles considered by CLADEM as priorities for the free exercise and assurance of the right to education. It is presented basically gathering the results of the Regional Balance "*Guarantee and fulfillment of the right to education in Latin America: progress in equality in the enjoyment and exercise of the right of women to education*"<sup>1</sup> elaborated by the organization in fifteen countries of the region as part of the "*Campaign for a Non-Sexist and Anti-Discriminatory Education*", developed in the period 2009-2011 which included the participation of all national representations in addition to synergies with other regional networks,<sup>2</sup> these with was also held a thematic hearing on the 143<sup>rd</sup> session period of the Inter-American Commission on Human Rights (IACHR).<sup>3</sup>

In general, as significant difficulties in the region, the balance brings up the lack of unified statistical data in order to identify, compare and systematize implemented policies as guarantee and exercise of the right to education. While setting out as positive the creation of indicators related to access, permanence and completion of primary school.<sup>4</sup>

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<sup>1</sup> CLADEM. "*Garantía y realización del derecho a la educación en América Latina: los avances en la igualdad en el goce y ejercicio del derecho de las mujeres a la educación*". Inés Romero Bidegaray. October 2011. Lima Perú. <http://www.campanaderechoeducacion.org/sam2011/wp-content/uploads/2012/02/LibroBalanceRegional-Tarea.pdf>

<sup>2</sup> The Latin-American Campaign for the Right to Education (CLADE), Bolivian Campaign for the Right to Education (CBDE), International Gay and Lesbian Human Rights Commission in Latin-America and the Caribbean (IGLHRC), Institute of Gender, Law and Development – Argentina (INSGENAR), Popular Education Network among Women (REPEM), Afrodescendants and of the Diaspora Women's Network and ECOS, among others.

<sup>3</sup> CLADEM. "Acceso a la educación de las mujeres indígenas, campesinas, afrodescendientes y de sectores rurales. Hacia la igualdad y no discriminación".

<http://www.cladem.org/images/archivos/publicaciones/regionales/desc/Audiencia-ESP-Finalweb.pdf>

<sup>4</sup> Op. cit., p. 33

Despite the recognition of the right to education in constitutional and legal frameworks by special or general laws, there are still large debts in the enjoyment and exercise of this right, particularly in ethnic minority populations, rural populations, women and girls.

Although progresses are identified in mainstreaming gender perspective in public policies on education, reflected as cross-curricular themes or issues around gender stereotypes, inclusive language, gender violence, identity, autonomy, women's rights, among others; it is not identified a logical coherence of transversality between these policies with a systematic characteristic that includes the permanent training of teachers and the design of methodological guides to this population. The experience has been punctual in coordination with centers of universities, unable to translate into cross-cutting policies at the public education sector in order to contribute to changes in the construction of gender roles toward egalitarian relationships.<sup>5</sup>

In some countries was identified the use of the term "equity" in place of "equality", remark made by the CEDAW Committee to many countries in the sense of contradicting the mandate of the Convention oriented to equal enjoyment of rights.

### **Violence and discrimination**

Among the main obstacles faced by girls and teenagers to enter and remain in the school system is based on violence and sexual harassment they receive for their gender by teachers and students.

The enjoyment of the right to education for girls and teenagers are also affected, in terms of access, because of the insecurity and vulnerability to which they are subjected on the way to the school, especially in rural populations.

Educational centers do not have complaint and response mechanisms for those affected, handling or reference to the judicial system, despite the existence of laws that require them to report as a measure of security for physical and emotional integrity of minors.

Education systems continue to promote, especially at primary, stereotyped images, sexist language and content in schoolbooks and teacher's books. In addition to the continuing hidden curriculum that makes invisible the approach of indispensable themes for addressing social life of respect and tolerance as the racial, ethnic, sexual, disabling conditions, gender identity and sexual orientation issues.

The non-sexist and anti-discriminatory education favors in girls the development of personal autonomy, increase of self-esteem and a more effective future performance in the labor camps, political participation, reproductive and sexual choices, in roles within the family and all kind of decisions that contribute to their own life project.

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<sup>5</sup> Op. cit. p. 53

A UNESCO study reveals that the education system is not being able to reverse social inequalities, but rather that is being reproduced.<sup>6</sup> Education systems not yet achieved the systematic design of mechanisms that contribute to the deconstruction of traditional gender relations towards emancipatory relationships for women and men.

Faced with the crisis of the economic and social model, based on the exploitation of human beings, depredation of nature and the accumulation of wealth, the contents of the curriculum and the educational system itself perpetuate discrimination of any kind against people, training them to a socio-economic model that responds to the reproduction of inequalities and exclusion. So the educational space should become a training environment of people towards more equitable, solidary and peaceful societies.

### **Interculturality and bilingualism**

Interculturality has been incorporated as an objective or cross-cutting theme in countries in the region that have indigenous or afrodescendant populations, identifying them as "vulnerable populations". In some of them it has been recognized as a principle at constitutional level.<sup>7</sup> However, studies reveal the difficulties in translating it into the teaching-learning processes, among other reasons, due to the lack of teacher training, the absence of guides and teaching guidelines as well as the limited production of texts and educative materials with an intercultural approach.<sup>8</sup>

Also are evident serious difficulties for the interconnection of gender perspective and interculturality, or intercultural approaches in education that take into account the transversality with a gender focus. It could warn as adversity the interpellation to the hierarchical representations within these cultures, especially indigenous.

Language teaching focuses mostly in areas where ethnic populations are located, to basically reach primary school. However, do not take into account the internal migration of these groups or cultural diversification linguistic of majority populations. Exceptions to these practices can be identified, for instance, in Paraguay,

Noteworthy is the priority given by some countries to the indigenous teaching at higher education level, however, these initiatives have been largely supported by international cooperation, so that the end of the period of accompaniment, state funds have been little or remaining held by the university centers.

### **Secularism**

According to the Regional Balance, the majority of Latin American

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<sup>6</sup> UNESCO/PREAL en el informe de seguimiento de Educación para Todos (2007).

<sup>7</sup> Argentina, Bolivia, Brazil, Ecuador, Mexico and Peru.

<sup>8</sup> Op. cit. p. 66

constitutions recognize the right to religious freedom, however, there are still wide vestiges of Catholic Church-State relations as a result of concordats in many countries, some without force but with capacity of influence within the government sectors for implementation of educational public policies, especially those around gender focus and rights, and its relationship to sexuality.

Regarding the teaching of religious education in many countries is assumed based on Catholic by imposing the dogma on the students without the opportunity of choice, since in face of any refusal they can express to receive it they are sanctioned or just left without evaluation as it is taught as a compulsory subject. Discrimination is also evidence that undergo the students belonging to religious minorities, may be teased by their peers.<sup>9</sup> Exceptions to these impositions such practices occur in Mexico, Uruguay and Panama.

We wish to draw the Committee's attention on the obstacles to the enjoyment and exercise of the right to education which affect the promotion of equal education without discrimination, through the interference of religious institutions that impose their dogmas with state consent, which constitutes an infringement of the right to education. Interference are marked in order to prevent gender and rights approaches, especially in comprehensive sex education that promotes responsible sexuality and contributes, inter alia, to the reducing of teen pregnancy, prevention of the infections sexually transmitted and sexual violations, particularly against women and girls. See the Brazilian case.<sup>10</sup>

We note in this regard the observations<sup>11</sup> of the Committee on the Rights of the Child to the Holy See, which expressed concern about the approach of “complementarity and equality in dignity”, used by the institution in its educational policies worldwide, moving away from the principle of equality under the Convention on the Rights of the Child. In this regard, exhorted: “...to adopt a rights-based approach to address discrimination between girls and boys and refrain from using terminology that could challenge equality between girls and boys. The Committee also urges the Holy See to take active measures to ensure that textbooks used in Catholic schools do not contain gender stereotyping that might limit the development of the talents and abilities of boys and girls and undermine their educational and life opportunities.”<sup>12</sup>

In this respect, Secularism as a value and principle of democracy that poses the separation between churches and the State, and the indissoluble attachment of human rights to the full exercise of citizenship rights, adherence to rule of law and strengthening democracy, should be considered an essential requirement for a non-sexist or discriminatory education with quality.

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<sup>9</sup> Op. cit. 59

<sup>10</sup> <http://www.acaoeducativa.org.br/index.php/educacao/49-diversidade-raca-e-participacao/10004838-versao-atualizada-de-informe-genero-e-educacao-alerta-para-retrocessos-em-programas-de-educacao-genero-e-sexualidade>

<sup>11</sup> CRC/C/VAT/CO/2, 25 February 2014.

<sup>12</sup> Idem.

Recognizing the urgent need to incorporate the principle of secularism in public policy, Montevideo Consensus<sup>13</sup> reaffirms the secular State as essential to ensure the full exercise of human rights, strengthening of democracy and the elimination of discrimination against persons.

### **Women and science**

The participation of women in traditional professional areas find their reasons, inter alia, in the promotion of gender stereotypes reinforced at different stages of educational training.

According to the Institute of Statistics of UNESCO women are under-represented in participation in all areas of science.<sup>14</sup> The world average is recorded in 30%, showing the countries of the Central Asia region the highest percentage (46%), Latin America (44%), Central and Eastern Europe (40%), Arab States (38%), North America and Western Europe (32%).

Young women who begin their studies in science experience discrimination during the preparation steps because of their gender, through the treatment of impairment in value and little integration encouragement offered by both teachers as fellow students, considering a college tuition in mostly occupied by male students and teachers.<sup>15</sup> These barriers for insertion in these areas are also reflected at the social level in light of exclusion and marginalization exercised towards girls.<sup>16</sup>

The exclusion of women in science is also associated with the use and access to Information and Communication Technologies (ICT). These exclusions underlie existing inequalities and discrimination in education, among other fields such as economics, politics and citizen participation and socio cultural creation.<sup>17</sup> The use and access of ICT represent a challenge for the elimination of discrimination based on gender, as a sphere of reproduction of the traditional relations marked by the logic of imposition and subordination.<sup>18</sup>

The different areas of education, both formal and informal, become fields of opportunities to promote the use and access of women to ICT, and in turn contribute to transformations of gender, egalitarian relationships and greater social inclusion for women. States at the World Summit on the Information Society made this commitment.<sup>19</sup>

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<sup>13</sup> Approved in the First Meeting of the Population and Development Commission of Latin America and the Caribbean, held from 12 to 15 August 2013, Montevideo, Uruguay.

<sup>14</sup> <http://www.uis.unesco.org/LAYOUTS/UNESCO/women-in-science/#overview>

<sup>15</sup> <http://www.nytimes.com/2013/10/06/magazine/why-are-there-still-so-few-women-in-science.html?pagewanted=2&r=0>

<sup>16</sup> Idem.

<sup>17</sup> Gurumurth, 2004. In: "¿Otro techo de cristal? La brecha digital de género en la República Dominicana". Amparo Arango. CIPAF. 2011, p. 15.

<sup>18</sup> Idem. "The ICTs represent not only a new technological model, but also a model of production and consumption of information and knowledge, accumulation of symbolic capital and inclusive a recent unprecedented way of social and labor relationship. The historical marginalization of women in the fields of knowledge may therefore be deepened if to them are relegated the understanding and use of technology that design this new reality."

<sup>19</sup> "...[the] development of ICTs provides enormous opportunities for women, who should be an integral part of, and key actors, in the Information Society. We are committed to ensuring that the Information Society enables women's

## **Budgets**

As well pointed out in the concept note, while appropriate allocations for the implementation of educational policies are required, gender mainstreaming in educational institutions would help to promote non-sexist and anti-discriminatory education as an effective measure for the elimination of discrimination and its different manifestations. Designing in turn mechanisms and techniques to measure the effectiveness of their implementation.

## **Recommendations:**

1. Produce statistical information that accounts for the reduction of gender inequalities in education, including the intersection with conditions such as rural and ethnic origin, and socioeconomic status.
2. Promote structural changes in the content and methodology of education systems so that contribute to egalitarian relationships, non-sexist and nor discriminatory between gender. Accelerating of urgent way prevention of violence against women and girls at all levels.
3. Provide education that encourages freedom of choice, personal autonomy, the development of self-esteem and the notion of self-responsibility in women.
4. Ensure training of teachers at all levels in the management of gender and human rights approach in education.
5. Encourage the inclusion of women in all areas of science, fostering security environment and participation without any discrimination.
6. Promote the use and access of women and girls to the Information and Communication Technologies (ICT) at all levels of the education systems as a measure to contribute to the transformation of relations between genders.
7. Fostering the principle of secularism as an indispensable democratic requirement in the design of educational policies at all levels, maintaining its links with the focus on human rights and gender.
8. Recognize as a priority in national budgets, allocation of funds for the education system as a way of contributing to its highest quality.
9. Designing mechanisms for measuring impact and assessment on the implementation of public policies with gender focus that support non-sexist and anti-discriminatory education.

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*empowerment and their full participation on the basis on equality in all spheres of society and in all decision-making processes. To this end, we should mainstream a gender equality perspective and use ICTs as a tool to that end".* Declaration of Principles of the International Telecommunication Union (ITU). Document WSIS-03/GENEVA/4-S. 12 May 2004.