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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development

## Impact of the COVID-19 pandemic on the realization of the equal enjoyment of the right to education by every girl

### Report of the United Nations High Commissioner for Human Rights\*

#### *Summary*

The present report was prepared pursuant to Human Rights Council resolution 47/5. In the report, the United Nations High Commissioner for Human Rights highlights the impact of the coronavirus disease (COVID-19) pandemic on the enjoyment of the right to education by girls and identifies main challenges and obstacles they face. In addition, she provides an overview of States' efforts to overcome those challenges and obstacles and of the support by United Nations human rights mechanisms in this regard. The High Commissioner concludes with a number of recommendations for the protection and promotion of girls' enjoyment of the right to education in COVID-19 responses and recoveries.

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\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



## I. Introduction

1. In its resolution 47/5, the Human Rights Council recognized that the coronavirus disease (COVID-19) pandemic had generated a global learning crisis that risked reversing decades of progress and exacerbating the barriers that all girls<sup>1</sup> faced in the realization of their equal enjoyment of the right to education. The Council requested the United Nations High Commissioner for Human Rights to prepare a report, in consultation with all relevant stakeholders, on the impact of the COVID-19 pandemic on the realization of the equal enjoyment of the right to education by every girl, to be submitted at its fiftieth session.

2. In preparation of the present report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sought input from States and other stakeholders. The Office received 42 submissions that informed the report; they have been placed on its website.<sup>2</sup> In addition, the Office benefited from additional research.

## II. Impact of the COVID-19 pandemic on girls' right to education

3. As the Human Rights Council has recognized, the right to education is a multiplier right that empowers all women and girls to claim their human rights, including the right to participate in the conduct of public affairs as well as in economic, social and cultural life, and to fully, equally and meaningfully participate in the decision-making processes that shape society.<sup>3</sup> The right to education, including its equal enjoyment by every girl, is universally recognized and guaranteed under international human rights law and is an integral part of the 2030 Agenda for Sustainable Development.<sup>4</sup>

4. Prior to the COVID-19 pandemic, the gender gap between girls and boys in access to education was closing in many parts of the world.<sup>5</sup> However, the pandemic is setting back decades of advancement made in girls' equal enjoyment of the right to education. The Special Rapporteur on the right to education observed in 2020 that structural discrimination in education had made a dramatic appearance during the crisis, with a sharp impact on the most vulnerable and marginalized.<sup>6</sup>

5. In line with general recommendation No. 36 (2017) on the right of girls and women to education of the Committee on the Elimination of Discrimination against Women,<sup>7</sup> the present report applies the tripartite framework on the right of access to education, rights within education and rights through education.

<sup>1</sup> Pursuant to resolution 47/5, the present report focuses on girls, that is, those who are under 18 years of age; therefore, reference to higher education is limited.

<sup>2</sup> The submissions which authors agreed to publish are available at <https://www.ohchr.org/en/calls-for-input/calls-input/call-input-report-impact-covid-19-pandemic-realization-equal-enjoyment>.

<sup>3</sup> Human Rights Council resolution 47/5.

<sup>4</sup> An overview of the normative and policy framework on the right to education is provided in [A/HRC/47/56](#).

<sup>5</sup> The World Bank, "School enrolment, primary and secondary (gross), gender parity index (GPI)", DataBank (accessed 6 May 2022). Available at <https://data.worldbank.org/indicator/SE.ENR.PRIM.FM.ZS>; and United Nations Educational, Cultural and Scientific Organization (UNESCO), *Gender Report: a New Generation: 25 Years of Efforts for Gender Equality in Education* (Paris, 2020), p. 1.

<sup>6</sup> [A/HRC/44/39](#); see also [A/HRC/35/11](#), in regard to challenges and barriers to girls' enjoyment of the right to education that existed prior to the pandemic.

<sup>7</sup> The Committee on the Elimination of Discrimination Against Women indicates that the tripartite framework largely reflects the framework on school availability, accessibility, acceptability and adaptability set out in the report of the Special Rapporteur on the right to education ([E/CN.4/1999/49](#)). The framework is also reflected in Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999) on the right to education, and in Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016) on the right to inclusive education, with slightly different emphasis on the elements of the framework.

## A. Right of access to education

6. According to the Committee on the Elimination of Discrimination against Women, the right of access to education requires physical, technological and economic accessibility, and access to education without cultural barriers and discrimination. It includes availability of adequate infrastructure to meet the needs of girls and women and their equal participation at each level of education.<sup>8</sup>

### 1. Non-discrimination

7. Across the world, pre-existing structural inequality appears to have shaped the ability of children to access education and remain and progress in it during and after the school closures.<sup>9</sup> In some contexts, beyond inequalities based on gender, other bases of inequalities may be more significant. For example, strong geographical disparities, combined with socioeconomic inequality, have been observed in many countries.<sup>10</sup>

8. Emerging data indicates that the pandemic affected both girls and boys significantly in their enjoyment of the right to education, but often in different contexts. Gendered impacts on education may also be different by country.<sup>11</sup> However, it is likely that girls who have faced multiple and intersecting forms of discrimination and gender-based violence have been left furthest behind. For example, in the countries of the Middle East and North Africa, while learning deprivation for girls has been lower than that of boys during the pandemic,<sup>12</sup> girls from disadvantaged backgrounds appear to have been facing higher risks. They include refugee and displaced girls, who have faced increased risks, including child, early and forced marriages,<sup>13</sup> which would have had a negative impact on their education.

### 2. Physical access

9. Physical access refers to the provision of functioning educational institutions and programmes in sufficient quantity and within safe reach.<sup>14</sup> Large-scale and prolonged school closures with the drastic shift to distance learning significantly affected learners' access to educational institutions and programmes.

10. School closures as a response to the COVID-19 pandemic have affected nearly 1.6 billion learners in over 190 countries.<sup>15</sup> Some countries experienced more than a full year of closures.<sup>16</sup> Despite efforts made by countries to continue education by shifting to distance learning, many children were left without access to any form of learning methods, educational materials or support by teachers.<sup>17</sup> There are concerns over significant learning

<sup>8</sup> General comment No. 36 (2017).

<sup>9</sup> [A/HRC/44/39](#).

<sup>10</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis: a Path to Recovery* (Washington, D.C., Paris and New York, 2021).

<sup>11</sup> UNESCO, *When Schools Shut: Gendered Impacts of COVID-19 School Closures* (Paris, 2021), p. 14; The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), p. 19.

<sup>12</sup> UNESCO, UNICEF Middle East and North Africa Regional Office and the World Bank, *COVID-19 Learning Losses: Rebuilding Quality Learning for All in the Middle East and North Africa* (Paris, Amman and Washington, D.C., 2021), p. 42.

<sup>13</sup> United Nations Population Fund (UNFPA) and UNICEF Middle East and North Africa Regional Office, "Child marriage in the context of COVID-19: analysis of trends, programming and alternative approaches in the Middle East and North Africa" (Cairo and Amman, 2021), pp. 15–16.

<sup>14</sup> Committee on the Elimination of Discrimination against Women, general comment No. 36 (2017), para. 29.

<sup>15</sup> UNESCO, *When Schools Shut* (Paris, 2021), p. 19.

<sup>16</sup> UNESCO, "Education: from disruption to recovery", *Global Monitoring of School Closures* (accessed 13 April 2022). Available at <https://en.unesco.org/covid19/educationresponse#schoolclosures>.

<sup>17</sup> Submission from Malala Fund, p. 2; and UNICEF, "Issue Brief: COVID-19 and girls' education in East Asia and Pacific" (October 2020), p. 5.

losses, with some children dropping out of school or ending up not pursuing higher levels of education.<sup>18</sup>

11. Experience with previous outbreaks of infectious diseases, for example that of the 2014 Ebola virus disease crisis, has shown that girls face a higher risk than boys of permanent dropout and slower return to school.<sup>19</sup> This pattern of gender disparities appears to be emerging in COVID-19 school closure data.<sup>20</sup> However, the scarcity of disaggregated data is an obstacle to having an accurate picture of the gendered impacts of the pandemic on children. The situations of most excluded groups of children, including girls facing multiple and intersecting forms of discrimination, are even harder to assess, as they are excluded from data collection.<sup>21</sup>

12. Today, most countries have reopened schools, applying health and safety protocols and vaccination programmes. Schools, however, particularly those in some socially disadvantaged areas that are dominated by minority groups or indigenous peoples, may not be adequately equipped to prevent infection by COVID-19.<sup>22</sup> These shortcomings, including insufficient health and safety measures, such as running water and sanitation facilities, supplies of handwashing soap and disinfectants, adequate ventilation facilities and masks, may discourage learners from coming back to school.

13. School closures during the pandemic disproportionately affected pre-primary education. Missing the opportunity for pre-primary education and socialization may have significant adverse effects on children, particularly those facing intersecting forms of discrimination, limiting their development and preparation for primary education. According to one study, between March 2020 and February 2021 a total of 167 million children in 196 countries lost access to early childhood care and education services, and pre-primary education was least likely to be prioritized for reopening.<sup>23</sup> In countries that conducted gender analysis of school enrolment, a gendered pattern was also observed. For example, in Mexico, higher rates of non-enrolment were observed for girls in pre-primary and primary schools and for boys in secondary and higher education.<sup>24</sup> This is a particular concern for girls, as they are more likely than boys to have never enrolled in school.<sup>25</sup>

14. In primary and secondary education, both girls and boys are at risk of learning loss and dropout but often in different contexts.<sup>26</sup> For example, some boys may have had to prioritize helping families for income-generating activities, while some girls may have faced an increased burden of unpaid care work or sexual exploitation.<sup>27</sup>

15. To better understand such consequences, there is a need for further collection and analysis of gender-disaggregated data to identify when girls and boys face a higher risk of losing access to education in specific country contexts and how to respond to their needs.

16. Girls may also face unique risks of dropout owing to early pregnancies and child, early and forced marriages.<sup>28</sup> It is too early to have an accurate picture of the impact of the pandemic, and the outcomes of currently emerging data are mixed.<sup>29</sup> However, in some

<sup>18</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), pp. 9–10.

<sup>19</sup> Malala Fund, “Girls’ education and COVID-19: what past shocks can teach us about mitigating the impact of pandemics” (2020), pp. 2 and 4.

<sup>20</sup> UNESCO, *When Schools Shut* (Paris, 2021), p. 40.

<sup>21</sup> See, for example, joint submission from civil society organizations in Brazil.

<sup>22</sup> *Ibid.*

<sup>23</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), p. 24.

<sup>24</sup> Submission from Mexico.

<sup>25</sup> UNESCO, *Gender Report: a New Generation* (Paris, 2020), p. 9.

<sup>26</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021).

<sup>27</sup> UNESCO, *When Schools Shut* (Paris, 2021).

<sup>28</sup> J.P. Azevedo and others, *Simulating the Potential Impacts of COVID-19 School Closures on Schooling and Learning Outcomes: a Set of Global Estimates* (World Bank Group, 2020), pp. 20–21.

<sup>29</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 14 and 24.

countries, an increase in early pregnancies and child, early and forced marriages has already been observed during school closures.<sup>30</sup>

17. Technical and vocational education and training were also disrupted significantly, owing to the lack of adaptation to distance learning and the lack of access to an appropriate space to practice at home.<sup>31</sup> Technical and vocational education and training are often one of the few pathways for learners who could not attend or dropped out of primary or secondary education, including due to pregnancy or parenting,<sup>32</sup> to continue learning and obtain life and vocational skills.

### 3. Technological access

18. With school closures, many countries shifted to distance learning to ensure continuation of education. Low-income countries predominantly implemented radio-based instruction, whereas middle- and high-income countries relied primarily on television and digital media.<sup>33</sup> Prior to the pandemic, it had been recognized that delivering education through information and communications technology could provide access to education for girls whose access to conventional forms of education was limited.<sup>34</sup> However, digital divides based on gender and other conditions, such as economic status or geographical location, prevented many girls from taking advantage of distance learning.

19. Limited access to Internet-enabled devices, lack of digital skills and discriminatory gender norms and stereotypes precluded girls' engagement with digital distance learning.<sup>35</sup> Globally, women and girls use the Internet 12.5 per cent less than men and boys, and the digital gender divide continues to expand in many developing countries.<sup>36</sup> A study of five Southern African Development Community countries in 2021 found that 28 per cent of male respondents always had Internet access to help with their studies, compared to 15 per cent of female respondents.<sup>37</sup> Girls had more limited access to devices, too. In low- and middle-income countries, boys were 1.5 times more likely to own a phone than girls and were 1.8 times more likely to own a smartphone that could access the Internet.<sup>38</sup>

20. Many countries have also provided educational content through television and radio. Nevertheless, distance learning is still not fully accessible to households with limited access to electricity and/or television and radio. Furthermore, some studies found that access to a television or radio at home did not automatically translate into active use of such devices for distance learning.<sup>39</sup>

<sup>30</sup> World Vision, "COVID-19 aftershocks: access denied: teenage pregnancy threatens to block a million girls across sub-Saharan Africa from returning to school" (2020).

<sup>31</sup> Organisation for Economic Co-operation and Development (OECD), "The impact of COVID-19 on student equity and inclusion: supporting vulnerable students during school closures and school re-openings", Policy Brief (2020) (accessed 14 April 2022). For similar observations from other regions of the world, see submissions from Costa Rica and Philippines (Commission on Human Rights).

<sup>32</sup> Technical and vocational education and training may be a preferred option for pregnant girls and adolescent mothers to continue their education. See, for example, Plan International, "Listen to us: adolescent girls in North West South West Cameroon on conflict and COVID-19" (Surrey, United Kingdom of Great Britain and Northern Ireland, 2021).

<sup>33</sup> UNICEF, "COVID-19: are children able to continue learning during school closures? A global analysis of the potential reach of remote learning policies using data from 100 countries", Factsheet (New York, 2020).

<sup>34</sup> Committee on the Elimination of Discrimination against Women, general comment No. 36 (2017), para. 33.

<sup>35</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 36–39.

<sup>36</sup> International Telecommunication Union (ITU), "Bridging the gender divide", updated July 2021 (accessed 19 February 2022). Available at <https://www.itu.int/en/mediacentre/backgrounders/Pages/bridging-the-gender-divide.aspx>.

<sup>37</sup> MIET Africa, *The Impact of COVID-19 on Adolescents and Young People in the Southern African Development Community Region* (Durban, South Africa, 2021), p. 46 (figure 14).

<sup>38</sup> Girl Effect and Vodafone Foundation, *Real Girls, Real Lives, Connected* (2018), p. 4.

<sup>39</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), pp. 9 and 23.

21. In addition to access to technologies, distance learning requires an adequate home setting. A study by the Organisation for Economic Co-operation and Development indicated that in OECD countries 9 per cent of learners 15 years of age did not have a quiet place to study in their homes. Such challenges were particularly strong for learners belonging to marginalized groups, such as immigrant and Roma students living in camps or crowded households.<sup>40</sup>

22. Similarly, the lack of sufficient supervision and support by adults at home have led to reduced quality of education for learners, particularly for pre-primary or primary school students.<sup>41</sup> Across the globe, the need for family support of home learning was a particular challenge for economically and socially marginalized households, owing to the lower educational attainment of parents and their limited time to provide such support.<sup>42</sup>

#### 4. Economic access

23. The shift to distance learning often increased the cost of access to education and excluded children living in low-income households. Devices necessary to connect to the Internet are costly, and learners who could not afford them were left behind.<sup>43</sup> In addition, the cost of accessing Internet data is prohibitively high for many learners.<sup>44</sup>

24. Inequality in access to quality education may also have increased according to the type of school learners can afford. Prior to the pandemic, some learners may have already been segregated by affordability of schools, with those attending free public schools having more limited access to computers and the Internet, compared to those attending fee-paying schools.<sup>45</sup> These concerns were exacerbated during the pandemic when, for example, higher income families may have shifted to private schools that could provide safer and better learning environments in some places.<sup>46</sup> At the same time, some low-cost private schools that mainly served students from low-income households closed due to financial pressure. As a result, learners from private schools have migrated to public schools, straining the existing capacity in public schools and imposing disproportionate disadvantages on learners from low-income households.<sup>47</sup>

25. There is also a risk of insufficient investment in education while designing recovery efforts, which would worsen the disparities in education that existed prior to the pandemic. Some States deployed massive stimulus packages in response to the health crisis, but allocated limited resources to the education and training sector. As of June 2021, the education and training sector had received less than 3 per cent of global stimulus packages, with 97 per cent of the investments occurring in high-income countries.<sup>48</sup>

#### 5. Cultural barriers

26. Reliance on family support during school closures risks enhancing discriminatory gender stereotypes already existing in the family and in the community. In some countries, parental and financial support in the family has been directed to boys more than girls.<sup>49</sup> While costs of devices and Internet data are major barriers for both girls and boys to access distance

<sup>40</sup> OECD, "The impact of COVID-19 on student equity and inclusion" (2020) (accessed 14 April 2022).

<sup>41</sup> See, for example, submissions from Kenya (Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programmes); Plan International; Philippines (Commission on Human Rights); and Slovak National Centre for Human Rights.

<sup>42</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), p. 20.

<sup>43</sup> Submission from Public Defence Office of the City of Buenos Aires.

<sup>44</sup> Girl Effect and Vodafone Foundation, *Real Girls, Real Lives, Connected* (2018), p. 8. See also, for example, submission from Guatemala.

<sup>45</sup> See submissions from Public Defence Office of the City of Buenos Aires and Law Resource Centre.

<sup>46</sup> Tareena Musaddiq and others, "The pandemic's effect on demand for public schools, homeschooling and private schools", Working Paper (Ann Arbor, University of Michigan, 2021).

<sup>47</sup> Andaleeb Alam and Priyamvada Tiwari, "Implications of COVID-19 for low-cost private schools", Issue Brief No. 8 (UNICEF, 2021); and [A/HRC/44/39](#), para. 72.

<sup>48</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), p. 30.

<sup>49</sup> See, for example, Malala Fund, "Girls' education and COVID-19 in Nigeria" (2020), p. 15.

learning, one study of 25 countries found that parents' safety concerns were bigger barriers than costs for girls' access to mobile phones.<sup>50</sup> Another study found that in some communities, access to the Internet was forbidden or discouraged for women and girls, as it was considered immoral.<sup>51</sup>

27. Similarly, girls have borne a heavier burden of unpaid care work. During school closures, both girls and boys, particularly those from households experiencing economic shocks, were asked to spend more time helping families and faced difficulties in securing time for their studies.<sup>52</sup> A global survey found, however, that although boys were more likely to be involved in child labour than girls, boys had more time to play and study than girls owing to the longer hours that girls spent on household chores.<sup>53</sup>

## B. Rights within education

28. Rights within education are aimed at promoting substantive gender equality in education. Ensuring rights in education requires gender equality in the school setting, including educational content and method of education. It also requires an environment where girls have opportunities to pursue goals towards their self-determination and self-actualization, including being free of violence.<sup>54</sup>

29. With sudden closures, in many countries schools were generally poorly prepared with regard to methodologies for distance teaching and its assessment and evaluation.<sup>55</sup> Despite significant efforts made by authorities, schools and teachers, those challenges may have affected the quality and inclusiveness of distance learning. If school closures continue or recur, or if distance learning is integrated as part of regular education, it will be crucial to monitor the quality of distance learning, including the aspect of rights in and through education. The limitations of distance learning compared to on-site, face-to-face schooling should also be assessed carefully,<sup>56</sup> as the costs of keeping schools closed may outweigh the benefits.<sup>57</sup>

30. Schools are not only a place for learning but also a space to provide essential services. Those services include protection and psychosocial support, including protection from violence; health services, including those for sexual and reproductive health and mental health; and school feeding programmes to support food and nutrition security of learners and their families. Schools are also a space for socialization and play necessary for the full development and well-being of learners.<sup>58</sup> School closures caused disruption of children's access to these additional functions that are essential for girls' enjoyment of rights within education.

31. There is still limited evidence available on the effects of the COVID-19 pandemic on children's exposure to violence and its gendered patterns. Some available data indicate different patterns of exposure to violence by boys and girls. Findings are mixed on the effect of COVID-19 school closures on increases in child, early and forced marriage, cyberbullying and online gender-based violence, including sexual violence and exploitation.<sup>59</sup>

<sup>50</sup> Girl Effect and Vodafone Foundation, *Real Girls, Real Lives, Connected* (2018), p. 8. Groupe Spéciale Mobile (GSM) Association observed the same trend in various regions of the world: see *Connected Women: the Mobile Gender Gap Report 2020* (London, GSM Association, 2020), p. 3.

<sup>51</sup> United States Agency for International Development, "The gender digital divide primer" (2020), p. 4.

<sup>52</sup> UNESCO, *When Schools Shut* (Paris, 2021).

<sup>53</sup> Save the Children International, *Protect a Generation: the Impact of COVID-19 on Children's Lives* (London, 2020), p. 73.

<sup>54</sup> Committee on the Elimination of Discrimination against Women, general comment No. 36, para. 56.

<sup>55</sup> See, for example, submissions from Costa Rica and Kenya (Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programmes).

<sup>56</sup> A/HRC/44/39, paras. 39 and 47.

<sup>57</sup> The World Bank, UNESCO and UNICEF, *The State of the Global Education Crisis* (Washington, D.C., Paris and New York, 2021), pp. 6 and 41.

<sup>58</sup> *Ibid.*, p. 7 and pp. 26–27.

<sup>59</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 14, 27, 44 and 47–51.

32. However, past experiences suggest that school closures, combined with the measures of confinement and isolation, could expose girls to unique risks of gender-based violence at home and in their communities. An increase in gender-based violence, including sexual violence and exploitation as well as bullying of girls and boys, online and offline, has been observed in several countries.<sup>60</sup>

33. Schools often play an important role in detecting signs of violence and abuse of children at home, and in referring cases of violence to competent authorities and/or support services. The lack of access to those services and support may have led to reduced protection of girls from gender-based violence, including child, early and forced marriages.<sup>61</sup>

34. Age-appropriate, comprehensive and inclusive sexual and reproductive health education, based on scientific evidence and human rights standards and developed with children, should be part of the mandatory school curriculum, and should also reach out-of-school children.<sup>62</sup> One of the gaps observed during school closures is the de-prioritization of access to such education, which may have increased the risk for girls of early and unintended pregnancy, sexually transmitted infections and gender-based violence.<sup>63</sup> In turn, the existence of laws, policies or practices that ban pregnant or parenting girls from school, and stigma and the lack of support for childcare and livelihood, may deny girls the possibility of remaining and returning to education upon school re-opening.<sup>64</sup>

35. Loss of access to comprehensive sexuality education for boys could also have a detrimental impact on gender equality. Boys may lose the opportunity to internalize positive gender norms based on equal relationships among all genders that can cut the cycle of violence and learn the importance of equal enjoyment of rights by women and men.<sup>65</sup>

36. Schools are also places where learners enjoy social interactions and receive emotional support from peers and teachers. A large body of research has documented adverse mental health outcomes during COVID-19 school closures, impeding learners' ability to concentrate and learn and having broader short-, medium- and long-term impacts. Girls appeared more likely to experience poorer mental health than boys in many settings, both in developed and developing countries. Research also indicated that LGBTIQ+ learners, including girls, already more vulnerable due to a pre-pandemic context of family and school-based violence, faced increased isolation and anxiety, including due to the disruption of support provided by teachers and social workers at school.<sup>66</sup>

37. The disruption of access to their rights to leisure and sports and related spaces may have had adverse impact on girls' health as well as their on ability to learn. Schools provide space for physical exercise and play. Decreased physical activity and increased screen time, including for recreation, has been documented, particularly in middle- and high-income countries. Similarly, school feeding programmes support children's access to adequate food and nutrition and may act as an incentive for families to send girls to school.<sup>67</sup>

38. Schools may also offer information and support on menstrual health, including supplies for menstrual hygiene management.<sup>68</sup> The lack of access to menstrual hygiene

<sup>60</sup> Ibid., p.47; and UNICEF, "COVID-19 and girls' education in East Asia and Pacific", Issue Brief (October 2020), p. 3.

<sup>61</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 47–48.

<sup>62</sup> Committee on the Rights of the Child, general comment No. 20 (2016) on the implementation of the rights of the child during adolescence. See also Committee on Economic, Social and Cultural Rights, general comment No. 22 (2016) on the right to sexual and reproductive health; Committee on the Elimination of Discrimination against Women, general recommendation No. 36 (2017); Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016) on the right to inclusive education; and [A/HRC/35/11](#), para. 37.

<sup>63</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 27 and 46.

<sup>64</sup> See submission from Kenya (Ministry of Public Service, Gender, Senior Citizens Affairs and Special Programmes).

<sup>65</sup> Plan International and others, "Gender transformative education" (New York, UNICEF, 2021), pp. 3 and 15.

<sup>66</sup> UNESCO, *When Schools Shut* (Paris, 2021), pp. 42 and 44.

<sup>67</sup> Ibid., pp. 42 and 45.

<sup>68</sup> Ibid., p. 42.

materials and adequate sanitation facilities at schools often leads girls to miss school days, resulting in poor educational outcomes or dropouts.<sup>69</sup> Girls may have faced challenges in purchasing menstrual materials during the pandemic, owing to restrictions on movement, disruption of supply chains and economic constraints faced by families. The barriers are even higher for girls with disabilities.<sup>70</sup> Overall, the lack of means for managing menstrual health makes the barrier higher for girls to return to school.

### C. Rights through education

39. Rights through education define the ways in which schooling shapes rights and gender equality in aspects of life outside the sphere of education. To ensure rights through education, schooling must equip women and girls with the skills to claim rights in all spheres, beyond the school, and to participate in social, economic and political processes as well as in decision-making positions in all sectors.<sup>71</sup>

40. The COVID-19 pandemic has caused a major setback in gender equality in society. During the pandemic, women's access to work has been significantly affected,<sup>72</sup> in particular for young women. Roughly two times as many young women lost their jobs as did young men.<sup>73</sup> Women's participation in the pandemic response and recovery has been weak, too. For example, according to a study by the United Nations Development Programme (UNDP), only 6 per cent of COVID-19 task forces across the world were at gender parity, and 11 per cent included no women at all.<sup>74</sup>

41. The COVID-19 pandemic revealed how discriminatory gender norms and stereotypes exacerbate gender inequality. Overreliance on unpaid care work in responses to the pandemic indicates that in many countries, society is still depending on women and girls as primary caregivers whose work can be taken for granted. Emerging evidence suggests that in both developed and developing countries, increased care responsibilities during the pandemic constrained women's labour force participation.<sup>75</sup> That trend was stronger for women in lower-income households.<sup>76</sup>

42. To recover from such setbacks and further advance gender equality, education can play a key role in COVID-19 recovery efforts, by ensuring rights through education. Education can equip girls and boys equally with skills and competencies for participating in and contributing to society. The realization of rights through education would require gender equality beyond the education sector.

43. For instance, facing a drastic shift to a digitized society accelerated by the pandemic, many countries have felt the acute need to equip girls with skills in science, technology, engineering and mathematics to better prepare them for access to gainful work when they reach adulthood.<sup>77</sup> Such preparation requires not only promoting girls' access to education in science, technology, engineering and mathematics, but also eliminating gender stereotypes

<sup>69</sup> UNFPA, "Menstruation and human rights - frequently asked questions" (June 2021) (accessed 14 April 2022).

<sup>70</sup> World Bank Group, *Pivoting to Inclusion: Leveraging Lessons from the COVID-19 Crisis for Learners with Disabilities* (Washington, D.C., 2020), p. 47.

<sup>71</sup> Committee on the Elimination of Discrimination against Women, general comment No. 36 (2017), paras. 17 and 81.

<sup>72</sup> United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), *Beyond COVID-19: a Feminist Plan for Sustainability and Social Justice* (New York, 2021), p. 9.

<sup>73</sup> International Labour Organization (ILO), "An uneven and gender-unequal COVID-19 recovery: update on gender and employment trends 2021" (Geneva, 2021), p. 1.

<sup>74</sup> University of Pittsburgh and UNDP, *Gender Equality in Public Administration* (New York, 2021), p. 15.

<sup>75</sup> ILO, "An uneven and gender-unequal COVID-19 recovery" (Geneva, 2021), pp. 11–12.

<sup>76</sup> UN-Women, *Beyond COVID-19* (New York, 2021), p. 36.

<sup>77</sup> See submissions from Chile, Kuwait and Spain.

surrounding access to technologies and ensuring gender-responsive working environments in relevant industries.<sup>78</sup>

44. The function of education in building girls' agency and participation is another aspect of rights through education that was negatively affected by the pandemic. Many responses to the pandemic, including in the area of education, did not ensure that children, including girls, were able to freely express their views on decisions that affected them and have them taken into account.<sup>79</sup> In addition, school closures might have reduced girls' ability to develop, through social contact and engagement with a network of peers and teachers, the social capital necessary for their active participation in society.<sup>80</sup> Those gaps would also negatively affect girls in developing critical thinking skills and the confidence to participate equally with men in high-level and decision-making positions in society.<sup>81</sup>

### III. Girls at particular risk of being left behind

45. Girls with disabilities are among those who are most excluded from education. Prior to the pandemic, globally, only 41.7 per cent of girls with disabilities had completed primary school, compared to 50.6 per cent of boys with disabilities and 52.9 per cent of girls without disabilities.<sup>82</sup> Children with disabilities also have lower transition rates to higher levels of education.<sup>83</sup>

46. During school closures, girls with disabilities reported barriers to accessing distance learning, including disruption of access to personal assistants or to reasonable accommodations they might have had in school<sup>84</sup> and insufficient efforts to make distance learning inclusive.<sup>85</sup> Furthermore, school closures, in particular where they led to missed opportunities for preschool education, may have reduced opportunities for early identification of impairments and timely intervention to support children with disabilities in education.<sup>86</sup>

47. Both during school closures and upon returning to school, barriers faced by girls with disabilities are compounded by pre-existing discriminatory and legal, behavioural, social and other barriers. They include discriminatory gender and disability-related stereotypes; sexual and gender-based violence; lack of physical, economic and informational accessibility of education; teachers who lack the skills to deliver quality inclusive education; and the lack of facilities and support to ensure dignified menstrual hygiene management.<sup>87</sup>

48. Obstacles to education faced by children belonging to minority groups, children of African descent and indigenous children are similar to those experienced by other groups but are further exacerbated in line with the historical and structural discrimination these groups have faced.<sup>88</sup> For example, in Latin America, the disproportionate deprivation of access to

<sup>78</sup> United Nations University and EQUALS Global Partnership, *Taking Stock: Data and Evidence on Gender Equality in Digital Access, Skills and Leadership*, Araba Sey and Nancy Hafkin, eds. (Macau, 2019).

<sup>79</sup> Convention on the Rights of the Child, article 12; and submissions from Australian Lawyers for Human Rights and Philippines (Commission on Human Rights).

<sup>80</sup> Plan International, "Living under lockdown: girls and COVID-19", p. 2.

<sup>81</sup> Committee on the Elimination of Discrimination against Women, general comment No. 36 (2017), para. 81 (a).

<sup>82</sup> World Health Organization (WHO) and the World Bank, *World Report on Disability 2011* (Geneva, WHO, 2011), p. 206.

<sup>83</sup> *Ibid.*, p. 208.

<sup>84</sup> UNFPA and others, *The Impact of COVID-19 on Women and Girls with Disabilities* (2021), p. 27.

<sup>85</sup> *Ibid.*, p. 27; UNESCO, 2021, "Understanding the impact of COVID-19 on the education of persons with disabilities: challenges and opportunities of distance education", Policy Brief (Paris, 2021), pp. 7–8.

<sup>86</sup> Submission from Australian Lawyers for Human Rights, paras. 1.6 and 1.7.

<sup>87</sup> Women Enabled International, "The right to education for women and girls with disabilities", Fact Sheet (Washington, D.C.).

<sup>88</sup> See, for example, submission from Slovak National Centre for Human Rights; and Economic Commission for Latin America and the Caribbean (ECLAC), *The Impact of COVID-19 on Indigenous*

sanitation in the traditional territories has increased the burden of unpaid work of indigenous girls, depriving them of time for study.<sup>89</sup> In the case of minority or indigenous children, as well as migrant children, the lack of adaptation of multilingual and intercultural education in distance learning presented additional obstacles to their participation.<sup>90</sup>

49. Girls in conflict and humanitarian situations faced impacts of the pandemic compounded with those from conflicts and emergencies. Prior to the pandemic, nearly 1 in 3 of all out-of-school children between 5 and 17 years of age lived in countries affected by emergencies. While gender disparity in school attendance at the global level was declining, in countries with conflict, girls were 2.5 times more likely to be out of school.<sup>91</sup> It is estimated that 78 per cent of school-age refugee learners had limited or no access to learning opportunities during school closures.<sup>92</sup>

50. In crisis-affected settings, the negative impacts of the COVID-19 pandemic on girls' access to education appear to be combined with the negative impacts of the conflicts, such as the prevalence of sexual and gender-based violence, the collapse of State institutions, attacks against schools and poverty in addition to harmful survival strategies, including child, early and forced marriages, sexual exploitation and withdrawal of girls from education and restrictions on mobility.<sup>93</sup> Children born of sexual violence face increased obstacles to access education, including lack of a legal identity, stigma and lack of support networks following their mothers' expulsion from their communities, among others.<sup>94</sup>

## IV. Efforts made and challenges faced in protecting girls' right to education in the context of the pandemic

### A. States

51. At the beginning of the COVID-19 pandemic, most States introduced policies on the delivery of education through distance learning, including online, low-tech and no-tech measures.<sup>95</sup> Some States adopted targeted policy and programmatic measures to address the needs of marginalized groups of learners, such as children with disabilities,<sup>96</sup> children who were refugees,<sup>97</sup> minorities,<sup>98</sup> children living in rural areas,<sup>99</sup> girls who were pregnant<sup>100</sup> and children who had dropped out or had little contact with formal education.<sup>101</sup> Some States conducted studies on the impact of the pandemic on education,<sup>102</sup> including on girls.<sup>103</sup> States

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*Peoples in Latin America (Abya Yala): Between Invisibility and Collective Resistance* (Santiago, 2021).

<sup>89</sup> ECLAC, *The Impact of COVID-19 on Indigenous Peoples in Latin America (Abya Yala)*.

<sup>90</sup> *Ibid.*, p. 34; and submission from Australian Lawyers for Human Rights.

<sup>91</sup> UNICEF, "A future stolen: young and out of school" (New York, 2018), pp. 4–5.

<sup>92</sup> Office of the United Nations High Commissioner for Refugees (UNHCR), "Connected education for refugees: addressing the digital divide" (2021), p. 5.

<sup>93</sup> See Plan International, "Listen to us", (Surrey, United Kingdom, 2021); and submission from Philippines (Commission on Human Rights).

<sup>94</sup> S/2022/77.

<sup>95</sup> UNESCO and others, *What's Next?: Lessons on Education Recovery: Findings from a Survey of Ministries of Education amid the COVID-19 Pandemic* (Paris and other locations, UNESCO, UNICEF, the World Bank and OECD, 2021); and submissions from Australia, Bahrain, Chile, Costa Rica, Cuba, El Salvador, Guatemala, Kenya (Ministry of Education), Kuwait, Malta, Mexico, Morocco, Peru, Oman, Russian Federation, Spain, Turkey (Ministry of Education) and United Arab Emirates.

<sup>96</sup> Submissions from Kenya, Malta, Mexico, Morocco, Oman, Russian Federation and Turkey (Ministry of Education).

<sup>97</sup> Submission from Turkey (Ministry of Education).

<sup>98</sup> Submission from Slovak National Centre for Human Rights.

<sup>99</sup> Submissions from Kenya, Morocco, Peru and Turkey (Ministry of Education).

<sup>100</sup> Submissions from Costa Rica, El Salvador and Mexico.

<sup>101</sup> Submission from Public Defence Office of the City of Buenos Aires.

<sup>102</sup> Submissions from Mexico and United Arab Emirates.

<sup>103</sup> Submission from Morocco.

also adopted measures to prevent COVID-19 infection in schools,<sup>104</sup> and to address the health and well-being of learners and provide protection against violence.<sup>105</sup>

52. The judiciary has also played a role. For example, in Argentina, in a case filed by the Ombudsperson of the city of Buenos Aires requesting the local government to guarantee the right to education of children who did not have the means to continue their studies through virtual platforms, the local court ordered the local government to distribute a free computer device to all students in a situation of social vulnerability. Furthermore, the court ordered the installation of free wireless connectivity in all informal settlements of the city and the delivery of a mobile device with a data line that allowed each family composed of children attending primary school to access the Internet.<sup>106</sup>

53. However, education sector responses have been largely gender-blind, and sex-disaggregated data is lacking. Measures taken have for the most part not been based on gender analysis and have rarely incorporated inclusive education.<sup>107</sup> As of April 2021, only 54 of 116 countries reported taking one or more measures to specifically support girls' education during the pandemic,<sup>108</sup> including by providing financial support,<sup>109</sup> access to infrastructure and subsidized devices,<sup>110</sup> tailored learning materials and flexible learning platforms.<sup>111</sup> At the same time, education budgets declined after the onset of the COVID-19 pandemic in 65 per cent of low- and lower-middle income countries and in 33 per cent of high- and upper-middle-income countries.<sup>112</sup>

## B. United Nations human rights mechanisms<sup>113</sup>

54. Since 2021,<sup>114</sup> in its concluding observations on the periodic reports submitted by Member States, the Committee on the Elimination of Discrimination against Women has provided recommendations on the systematic integration of women's rights and a gender perspective into COVID-19 recovery efforts.<sup>115</sup> Moreover, all concluding observations of the Committee contain comprehensive recommendations on the right to education of women and girls; while they may not refer explicitly to the pandemic, they nevertheless systematically address barriers and challenges faced by girls in their right to education, including during the pandemic. The Committee has also provided concrete recommendations on how to address root causes impeding girls' enjoyment of the right to education, such as gender-based violence, discriminatory stereotypes, harmful practices, the disproportionate burden of domestic and care responsibilities, and limitations on sexual and reproductive health rights.

55. In its concluding observations on the periodic reports of Member States, the Committee on Economic, Social and Cultural Rights established a standard recurrent heading

<sup>104</sup> Submissions from Australia, Bahrain, Cuba, Guatemala, Kenya (Ministry of Education), Kuwait, Mexico, Morocco and Oman.

<sup>105</sup> Submissions from Chile, Costa Rica, El Salvador, Guatemala, Kenya (Ministry of Education), Malta, Mexico, Peru and United Arab Emirates.

<sup>106</sup> Submission from Public Defence Office of the City of Buenos Aires.

<sup>107</sup> UNESCO, *When Schools Shut* (Paris, 2021), p. 53.

<sup>108</sup> UNESCO and others, *What's Next?* (Paris and other locations, UNESCO, UNICEF, the World Bank and OECD, 2021), p. 25.

<sup>109</sup> Submissions from El Salvador, Guatemala, Kenya (Ministry of Education) and Turkey (Ministry of Education).

<sup>110</sup> Submissions by Chile, El Salvador, Malta, Morocco, Spain and the United Arab Emirates.

<sup>111</sup> UNESCO, UNICEF, *What's Next?* (Paris and other locations, UNESCO, UNICEF, the World Bank and OECD, 2021).

<sup>112</sup> World Bank Group and UNESCO, "Global education monitoring report: education finance watch 2021" (2021), p. 8.

<sup>113</sup> The analysis contained in subsection IV.B covers the guidance and recommendations issued by United Nations human rights mechanisms as of end March 2022.

<sup>114</sup> Owing to the disruption caused by the pandemic, the Committee postponed until 2021 the reviews of States parties' reports originally scheduled for its seventy-sixth and seventy-seventh sessions in 2020.

<sup>115</sup> [CEDAW/C/LBN/CO/6](#); [CEDAW/C/PAN/CO/8](#); [CEDAW/C/UGA/CO/8-9](#); [CEDAW/C/ECU/CO/10](#); [CEDAW/C/IDN/CO/8](#); [CEDAW/C/ZAF/CO/5](#); and [CEDAW/C/SWE/CO/10](#).

on the impacts of COVID-19 on the right to education<sup>116</sup> and also addressed the impact of the pandemic under the broader heading of the right to education.<sup>117</sup> The Committee on the Rights of the Child recommended that States address inequalities generated by the COVID-19 crisis during home schooling.<sup>118</sup> The Committee on the Rights of Persons with Disabilities has provided several recommendations on education in the context of the pandemic.<sup>119</sup>

56. Recommendations on how to respond to the negative impact of the pandemic on education were also made through the universal periodic review process.<sup>120</sup> While the recommendations have rarely referred specifically to girls, they are pertinent to the responses to challenges faced by girls in enjoying the right to education during the pandemic in specific country contexts.

57. In 2020, the Special Rapporteur on the right to education issued a thematic report analysing the impact of the COVID-19 pandemic on the right to education.<sup>121</sup> The report provided an analytical framework for evaluating the adequacy of responses to education systems to prevent deterioration of enjoyment of the right to education. The Special Rapporteur recommended a thorough assessment of the dynamics in each local context that had led to increased discrimination in the enjoyment of the right to education during the crisis.

58. Analysis issued by the United Nations human rights mechanisms in respect of the right to education could be made more gender-sensitive. Submission of gender-disaggregated data on education by States, national human rights institutions, civil society organizations, international organizations and other stakeholders would enable the United Nations human rights mechanisms to apply more rigorous gender analysis to their monitoring and develop more gender-responsive guidance.

## V. Conclusions and recommendations

59. **The COVID-19 pandemic has generated a global learning crisis that risks reversing decades of progress.<sup>122</sup> Despite the dedicated efforts made by governments, schools and teachers to continue delivery of education, pre-existing inequalities in the enjoyment of the right to education have been exacerbated. The responses to the pandemic have tended to focus on scaling up distance learning with speed and have failed to safeguard equality in access to and outcomes of education.**

60. **Scarcity of data disaggregated by sex and gender, as well as on other bases, hampers the assessment of differentiated impacts on the education of girls and boys, particularly those facing intersecting forms of discrimination, as well as the monitoring of trends and patterns of exclusion, and the design of effective responses to address root causes. However, emerging data indicates that children facing structural inequalities are being excluded from education, and girls facing multiple and intersecting forms of discrimination are likely to be the ones being left furthest behind.**

61. **The focus of the present report has been on the impact of the COVID-19 pandemic on girl learners. However, as highlighted by the Special Rapporteur on the right to education, to guarantee full and sustainable enjoyment of the right to education by all girls and boys, more comprehensive analysis would be required of entire education systems and their sustainability.<sup>123</sup>**

<sup>116</sup> E/C.12/BOL/CO/3 and E/C.12/AZE/CO/4.

<sup>117</sup> E/C.12/BLR/CO/7; E/C.12/BIH/CO/3; and E/C.12/KWT/CO/3.

<sup>118</sup> CRC/C/CZE/CO/5-6; CRC/C/SWZ/CO/2-4; CRC/C/LUX/CO/5-6; and CRC/C/MDG/CO/5-6.

<sup>119</sup> CRPD/C/FRA/CO/1 and CRPD/C/EST/CO/1.

<sup>120</sup> A/HRC/48/7 (para. 137.248, recommendation to Estonia by Bulgaria); A/HRC/47/10 (para. 159.181, recommendation to Nepal by Islamic Republic of Iran); A/HRC/46/17 (para. 148.208, recommendation to Libya by Singapore); and A/HRC/46/11 (para. 84.94, recommendation to Andorra by Cuba).

<sup>121</sup> A/HRC/44/39.

<sup>122</sup> Human Rights Council resolution 47/5.

<sup>123</sup> A/HRC/44/39.

62. On the basis of the analysis contained in the present report, it is recommended that States, in collaboration with educational institutions, national human rights institutions, civil society and international organizations, and other stakeholders, take the following actions in responding to and recovering from the COVID-19 pandemic:<sup>124</sup>

(a) Prioritize re-opening schools and/or keep schools open, considering the significant discriminatory impact of school closures on marginalized learners, especially girls belonging to marginalized groups;

(b) Ensure participation of girls in all their diversity, including those in and out of school, and of organizations led by women and girls, in assessing the impact of the crisis on their right to education, designing responses and monitoring the implementation of such responses, in line with article 12 of the Convention on the Rights of the Child, general comment No. 12 (2009) on the right of the child to be heard of the Committee on the Rights of the Child and articles 4 (3) and 33 (3) of the Convention on the Rights of Persons with Disabilities;

(c) Ensure girls' safe and non-discriminatory return to or enrolment in school, by protecting their right to education and other human rights, including by:

(i) Advancing the right to quality inclusive education at all levels of education, including for learners with disabilities and learners who are linguistic and cultural minorities;

(ii) Protecting and promoting girls' access to pre-primary education and affordable and quality technical and vocational education and training regardless of background and economic and social status;

(iii) Eliminating laws, policies, practices and stigma that impede access to schools by girls who are married, pregnant or parenting;

(iv) Adequately equipping all schools, including those in remote or disadvantaged areas, with safe and disability-accessible water and sanitation facilities and hygiene products, including to prevent infection with COVID-19 and ensure dignified menstrual hygiene management for all girls;

(v) Eliminating violence, including gender-based violence and bullying, in the school environment and providing support, including psychosocial support, to learners who may have experienced or are facing the risk of violence, including during school closures;

(vi) Enhancing the capacity of schools and teachers to respond to learners' health and well-being, including mental health, nutrition and sexual and reproductive health, which might have been affected during school closures or by the socioeconomic impact of the pandemic;

(vii) Taking measures, including investing in catch-up, non-formal and literacy education, to ensure access to education by girls who dropped out of school or did not enrol during the pandemic, as well as girls who were already out of school prior to the pandemic;

(d) In the event that school closures continue or are reintroduced with full distance learning, or should distance learning become an integral part of formal education:

(i) Ensure equal access to distance learning by marginalized and disadvantaged learners, especially girls belonging to such groups, taking into consideration gender and other forms of digital divides, ensuring inclusive education in distance learning methods and taking measures to mitigate the loss

<sup>124</sup> The recommendations contained in the present report complement those contained in the report of the United Nations High Commissioner for Human Rights on realization of the equal enjoyment of the right to education by every girl (A/HRC/35/11).

of function of on-site schooling, including socialization, recreation, and the provision of health, nutrition and protection services;

(ii) Ensure affordability of distance learning, taking into account hidden costs borne by learners and teachers, through financial, in-kind and other forms of assistance in case of need, in line with the article 28 of the Convention on the Rights of the Child;

(iii) Protect the rights of the child in relation to the digital environment, including protection from online violence and exploitation, and respect for their right to privacy, in line with general comment No. 25 (2021) on children's rights in relation to the digital environment of the Committee on the Rights of the Child;

(iv) Ensure distance learning curricula include comprehensive sexuality education and human rights education for all children, including age-appropriate education on women's human rights and the Convention on the Elimination of All Forms of Discrimination against Women at all levels of education;

(e) Urgently address data gaps by enhancing collection and analysis of data disaggregated by sex and gender, age, disability,<sup>125</sup> income, race, ethnicity, migratory status, geographical location and other characteristics to enable assessment and monitoring of the impact of the pandemic on inequality and discrimination in relation to the right to education;

(f) Monitor closely the impacts on education, including gendered impacts, of school closures and online distance learning, and of broader socioeconomic impacts of the COVID-19 pandemic outside of school, to respond to increasing inequality in education;

(g) Integrate a gender perspective into immediate, mid-term and longer-term efforts in education to recover from the COVID-19 pandemic and build resilience for future shocks. In that regard:

(i) Address the rights of girls and boys, and their different needs and experiences, prioritizing the protection of the rights of those left furthest behind;

(ii) Address not only rights to access to education but also rights in and through education, in line with general recommendation No. 36 (2017) of the Committee on the Elimination of Discrimination against Women, general comment No. 13 (1999) on the right to education of the Committee on Economic, Social and Cultural Rights, general comment No. 1 (2001) on the aims of education of the Committee on the Rights of the Child and general comment No. 4 (2016) of the Committee on the Rights of Persons with Disabilities;

(iii) Critically examine the impact of pre-existing inequality and discrimination in education systems and address their root causes. In doing so, actively use the recommendations and guidance issued by the United Nations human rights mechanisms;

(iv) Revise and develop non-stereotypical educational curricula, textbooks and teaching materials, including those for distance learning, to eliminate discriminatory gender stereotypes;

(v) Ensure equal representation of women in decision-making positions in education systems and protect the rights of teachers and educational personnel;

(h) Significantly increase investment in education, in particular free, quality and inclusive public education, by mobilizing maximum available resources, including

<sup>125</sup> Guidance on a human rights-based approach to data relevant to the rights of persons with disabilities is contained in the report of the Office of the United Nations High Commissioner for Human Rights on statistics and data collection under article 31 of the Convention on the Rights of Persons with Disabilities (A/HRC/49/60).

through the adoption of progressive taxation and international cooperation, in line with article 2 of the International Covenant on Economic, Social and Cultural Rights;

(i) Refrain from austerity measures which may have retrogressive impact on the enjoyment of the right to education;

(j) Urgently address discrimination that undermines the right to education of all children, including children in conflict and humanitarian situations, and particularly of those who face intersecting forms of discrimination based on disability, race or ethnicity, indigenous status, migrant status, sexual orientation, gender identity or sex characteristics;

(k) Taking into consideration the indivisibility and interdependence of the right to education and other civil, cultural, economic, political and social rights, systematically integrate transformative measures for gender equality in broader recovery efforts from the pandemic beyond the education sector to ensure that investment in girls' education leads to their access to gainful livelihood and equal participation in society, including by:

(i) Eliminating discriminatory gender stereotypes in all spheres of life;

(ii) Closing the digital divide based on gender and other grounds;

(iii) Promoting equal sharing of domestic and family responsibilities between women and men and investing in public care services;

(iv) Eliminating horizontal and vertical gender segregation in occupations and protecting the right of women to work and their rights at work;

(v) Eliminating gender discrimination in economic and social rights, including in access to financial and productive resources and social security;

(vi) Eliminating gender discrimination in the family, including by eliminating discriminatory provisions in civil and family laws;

(vii) Promoting women and girls' leadership and participation in decision-making, in both public and private sectors, including by adopting temporary special measures;

(viii) Eliminating gender-based violence against women and girls, including harmful practices, in the family and community, at work and in public spaces;

(l) Actively engage with the United Nations human rights mechanisms, such as the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review process, as well as with regional human rights mechanisms, to monitor the realization of the right to education, and actively implement recommendations and guidance from those mechanisms in designing recovery efforts.

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