

Forum: Legal Committee

Issue: Developing legal measures to eliminate discriminatory practices in global education systems

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TOPIC INTRODUCTION

Discrimination remains pervasive in education, whether on the basis of disability, gender, language, income, ethnicity, religion, migration or displacement status. Even after repeated, countless protests young females in Afghanistan are still prohibited by law from attending school beyond the sixth grade. Additionally, numerous children, roughly 1 in 2 children with disabilities in developing countries, are not attending school. Not only because many schools lack essential accessibility features, such as a wheelchair ramp or elevators, but also owing to the fact that a lot of schools wrongfully refuse admission to children with intellectual or cognitive disabilities. Various schools do not even offer scholarships at all and expect solely wealthy families to enroll their children.

Bearing in mind all of the aforementioned facts, it is evident that schools have become extremely more profit driven, shifting away from their core mission of ensuring that every child on this earth has the opportunity to learn, evolve mentally, socialise and learn how to become an active citizen to improve the world that we live in. Despite that, it is clear that education systems align merely with the benefits of the government and the people in power of each country.

For instance, women in Afghanistan are banned from secondary education, to limit their ability to become informed, exercise their rights and try to participate in decision making processes on an equal footing with men. Therefore, developing legal measures to eliminate discrimination in the field of education is extremely crucial to enable every individual, regardless of their background or the circumstances, to be given the opportunity to develop themselves, add up to their potential and become an informed active citizen who contributes significantly to society. By aligning with the theme of this year's conference of "Rediscovering Diplomacy in an Era Of Political Instability," this paper stresses the need for renewed international cooperation and diplomatic commitment towards ensuring that, despite worldwide instability, all educational systems will be inclusive, equitable and shielded from all forms of discrimination toward the most vulnerable populations in the world.

DEFINITION OF KEY-TERMS

Discrimination

“Treating a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their race, gender, sexuality, etc”¹

Marginalisation

“The art of treating someone as if they are not important”²

Segregation

“The policy of keeping one group of people apart from another and treating them differently ,especially because of race, sex or religion”³

Literacy

“The ability to read and write”⁴

Intersectionality

“The way in which different types of discrimination are connected to and affect each other”⁵

Stigmatization

“The act of treating someone or something unfairly by publicly disapproving of them or it”⁶

¹ Cambridge Dictionary. “DISCRIMINATION | MEANING in the Cambridge English Dictionary.” *Cambridge.org*, 2025, dictionary.cambridge.org/dictionary/english/discrimination.

² ---. “Marginalization.” @CambridgeWords, 22 June 2022, dictionary.cambridge.org/dictionary/english/marginalization?q=marginalisation.

³ ---. “SEGREGATION | Meaning in the Cambridge English Dictionary.” *Cambridge.org*, 2019, dictionary.cambridge.org/dictionary/english/segregation.

⁴ ---. “LITERACY.” *Cambridge.org*, 16 Oct. 2019, dictionary.cambridge.org/dictionary/english/literacy.

⁵ ---. “Intersectionality.” @CambridgeWords, 21 Aug. 2024, dictionary.cambridge.org/dictionary/english/intersectionality?q=Intersectionality.

⁶ ---. “Stigmatization.” @CambridgeWords, 17 June 2026, dictionary.cambridge.org/dictionary/english/stigmatization?q=stigmatisation. Accessed 18 June 2026.

Non-compliance

“The fact of not obeying a rule or law, especially one that controls a particular industry, or type of work or activity”⁷

Assimilation

“The process of becoming a part, or making someone become a part, of a group, country, society ect.”⁸

Vulnerability

“The quality of being vulnerable (=able to be easily hurt, influenced, or attacked) or something that is vulnerable”⁹

BACKGROUND INFORMATION

Gender-Based Educational Discrimination in the Middle East and South Asia

Beyond the gender barrier in education, many students are regularly discriminated against and denied their educational rights due to a variety of other factors.¹⁰ While primary and secondary education is roughly equally accessible for girls and boys across the globe, there are a variety of factors that work to prevent girls from accessing even secondary and higher education in various countries across the region.¹¹ Though there is no international legal instrument that obligates countries to provide secondary and higher education for girls, there are both direct and indirect legal barriers¹² to education that exist in various countries, such as Afghanistan, which

⁷ ---, “Non-Compliance.” @CambridgeWords, 17 June 2026, dictionary.cambridge.org/dictionary/english/non-compliance?q=noncompliance. Accessed 18 June 2026.

⁸ Cambridge Dictionary. “ASSIMILATION | Meaning in the Cambridge English Dictionary.” Cambridge.org, 30 Oct. 2019, dictionary.cambridge.org/dictionary/english/assimilation.

⁹ ---, “VULNERABILITY | Meaning in the Cambridge English Dictionary.” Dictionary.cambridge.org, 2022, dictionary.cambridge.org/dictionary/english/vulnerability.

¹⁰ UNESCO. “Protecting Education in Afghanistan.” Unesco.Org, UNESCO, 2 Feb. 2023, <https://www.unesco.org/en/emergencies/education/afghanistan>. Accessed 14 July 2026.

¹¹ UNESCO. “Global Education Monitoring Report.” Www.Unesco.Org, 2025, <https://www.unesco.org/gem-report/en>. Accessed 14 July 2026.

¹² “Convention on the Elimination of All Forms of Discrimination Against Women New York, 18 December 1979.” Ohchr, United Nations, 18 Dec. 1979, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>. Accessed 14 July 2026.

has both directly banned girls from attending secondary and higher education since 2021¹³, or countries like the Muslim-majority nations in South Asia, in which the legal requirements of child marriage and traditional gender roles prevents girls from attending school after they reach a certain age or begin to have families.¹⁴

In 2021, the Taliban established a government in Afghanistan, leading their Ministry of Education to ban girls from attending schools beyond the sixth grade.¹⁵ In December of 2022, that law was expanded to ban all girls from attending public and private universities in the country.¹⁶ As of 2026, Afghanistan is the only country in the world to ban girls entirely from secondary and higher education. Additionally, there are an estimated 2.2 million girls who have been banned from attending secondary schools in the nation, and around 3.8 million girls who are entirely without schooling access in Afghanistan; a statistic which is continually growing each year, as an estimated 250,000 girls reach the age of eligibility for higher education each year without being able to attend any schools due to this law. Furthermore, many girls in Afghanistan are also physically unable to access even primary schools due to the country's vast rural areas, which have few or no schools at all.¹⁷

Vulnerable and Marginalised Groups in Global Education Systems

An issue which is largely invisible yet still directly impacts many students is the physical accessibility of schools to students who use wheelchairs or otherwise have disabilities. Of the 240 million children in the world who live with some form of disability, 49% of those children have never attended school at all.¹⁸ Furthermore, the gap between disabled children and non-disabled children in education is even more pronounced in certain regions of the world;

¹³ UNESCO. "Convention Against Discrimination in Education | UNESCO." *Www.Unesco.Org*, 2024, <https://www.unesco.org/en/right-education/convention-against-discrimination>. Accessed 14 July 2026.

¹⁴ "Education." *Unicef*, 2024, <https://www.unicef.org/asia-pacific/what-we-do/education>. Accessed 14 July 2026.

¹⁵ ---. "Protecting Education in Afghanistan." *Unesco.Org*, UNESCO, 2 Feb. 2023, <https://www.unesco.org/en/emergencies/education/afghanistan>. Accessed 14 July 2026.

¹⁶ ---. "Protecting Education in Afghanistan." *Unesco.Org*, UNESCO, 2 Feb. 2023, <https://www.unesco.org/en/emergencies/education/afghanistan>. Accessed 14 July 2026.

¹⁷ ---. "Protecting Education in Afghanistan." *Unesco.Org*, UNESCO, 2 Feb. 2023, <https://www.unesco.org/en/emergencies/education/afghanistan>. Accessed 14 July 2026.

¹⁸ UNICEF. "Nearly 240 Million Children with Disabilities Around the World, UNICEF's Most Comprehensive Statistical Analysis Finds." *Www.Unicef.Org*, 9 Nov. 2021, <https://www.unicef.org/press-releases/nearly-240-million-children-disabilities-around-world-unicefs-most-comprehensive>. Accessed 14 July 2026.

47% of children with disabilities are out of school in primary education, 33% are out of lower-secondary schools, and only 27% are present in upper-secondary schools.¹⁹ Many low-income nations in the Middle East and South Asia have 3% or less of children with disabilities who have access to assistive technologies, such as wheelchairs, hearing aids, or glasses that may enable them to gain access to school; even if they were able to access the school, many of the facilities are unsafe for these children and their parents, as the schools tend to have no ramps, no accessible toilets, and no staff who are trained to respond to an emergency school evacuation.²⁰

Another group of students who appear to be discriminated against within their schools are those who have intellectual or developmental disabilities.²¹ These students are often either largely ignored by school administrators and teachers, or are frequently forced to drop out of schools after they are admitted; they are assumed to have a future of difficulty succeeding in school, and of placing a strain upon the teachers' time to manage these students.²² Various examples of such an issue include many schools that refuse to accept any students with intellectual disabilities and who are unable to provide education resources to those students, requiring any student who presents with such a disability to drop out of school, or who require those students to provide medical documentation from specific doctors before accepting them into the school.²³ The outcomes of schools that act in such manners are likely; children with intellectual and developmental disabilities are the most likely of any disability group to drop out of school entirely at every level of education, especially as the disabilities of these students become more severe.²⁴ Even with the reputation of a school to be largely tied to the academic performance of

¹⁹ World Health Organization. "Almost One Billion Children and Adults with Disabilities and Older Persons in Need of Assistive Technology Denied Access, According to New Report." *Www.Who.Int*, 16 May 2022, <https://www.who.int/news/item/16-05-2022-almost-one-billion-children-and-adults-with-disabilities-and-older-persons-in-need-of-assistive-technology-denied-access--according-to-new-report>. Accessed 14 July 2026.

²⁰ World Health Organization. "Almost One Billion Children and Adults with Disabilities and Older Persons in Need of Assistive Technology Denied Access, According to New Report." *Www.Who.Int*, 16 May 2022, <https://www.who.int/news/item/16-05-2022-almost-one-billion-children-and-adults-with-disabilities-and-older-persons-in-need-of-assistive-technology-denied-access--according-to-new-report>. Accessed 14 July 2026.

²¹ UNESCO report on inclusion in education shows 40% of poorest countries did not provide specific support to disadvantaged learners during COVID-19 crisis. (2023). Unesco.Org. <https://www.unesco.org/en/articles/unesco-report-inclusion-education-shows-40-poorest-countries-did-not-provide-specific-support-0>

²² UNICEF. (2025). *Inclusive Education*. Unicef; UNICEF. <https://www.unicef.org/education/inclusive-education>

²³ UNESCO report on inclusion in education shows 40% of poorest countries did not provide specific support to disadvantaged learners during COVID-19 crisis. (2023b). Unesco.Org. <https://www.unesco.org/en/articles/unesco-report-inclusion-education-shows-40-poorest-countries-did-not-provide-specific-support-0>

²⁴ *Learning is For Everyone: Global Report*. (2026, June 16). Unicef. <https://www.unicef.org/innocenti/reports/learning-everyone-global-report>

its students, administrators that are pressured to find ways to reduce costs or increase the number of students who attend the school may choose to exclude students with intellectual disabilities to both reduce the cost of educating these students, and to reduce the number of students who will not meet the school's performance standards.²⁵

A further of the groups who are both largely ignored and who are directly denied access to their education altogether are immigrants and refugees.²⁶ Out of the 12.4 million refugee children who live outside their home countries and who are under the care of the UN High Commissioner for Refugees (UNHCR), at least 46% of those refugees are out of school entirely. Furthermore, those who are of refugee populations who are enrolled in schools are at a disadvantage compared to students who attend their national education systems; only around 67% of refugee children are enrolled in primary schools, 37% in secondary schools, and less than 10% who are enrolled in tertiary education systems.²⁷ Many of these refugee camps have few schools and few teachers who are able to provide schooling for all of the refugees who live in those areas. Additionally, most refugees are assigned to separate educational systems from the countries in which they live, as the countries often refuse to recognize the education systems that the refugees attended in their countries of origin; many refugees do not have any education documents or records to prove that they have completed any schooling in their native countries, and are not permitted to attend any of those schools.²⁸

Low-income students are another of the groups who are both largely ignored by the education systems of the countries in which they live.²⁹ Many of the parents of these students are unable to attend high levels of education themselves, and as such, are unable to provide scholarships to their children to attend private schools; as such, there is a lack of students who attend these private schools, and the public schools who attend these low-income students have been underfunded by their governments.³⁰ The wealth of a country generally determines the amount

²⁵ UNESCO report on inclusion in education shows 40% of poorest countries did not provide specific support to disadvantaged learners during COVID-19 crisis. (2023c). Unesco.Org.
<https://www.unesco.org/en/articles/unesco-report-inclusion-education-shows-40-poorest-countries-did-not-provide-specific-support-0>

²⁶ UNHCR. (2024). *Education*. Unhcr. <https://www.unhcr.org/what-we-do/build-better-futures/education>

²⁷ UNHCR. (2024b). *Education*. Unhcr. <https://www.unhcr.org/what-we-do/build-better-futures/education>

²⁸ Levon Sevunts. (2025, September 9). *Progress in refugee education at risk from funding cuts, UNHCR warns*. UNHCR Canada. <https://www.unhcr.ca/news/progress-in-refugee-education-at-risk-from-funding-cuts-unhcr-warns/>

²⁹ 2026 GEM Report: Access and equity animation. (2026a). Unesco.Org.
<https://www.unesco.org/reports/gem-report/en/2026>

³⁰ *Monitoring SDG 4: Education finance*. (2022). Unesco.Org.
<https://www.unesco.org/gem-report/en/education-finance>

of funding that goes into its education system; high-income countries tend to invest around \$8,500 per student to attend public schools each year, while low-income nations invest as little as \$55 per student.³¹ Furthermore, public schools in these low-income countries are also often underfunded in another way; teachers who teach these students are not paid enough to retain their teachers' attention to teaching the curriculum, and it is often difficult to remove those teachers from the schools who appointed those teachers to their classrooms directly with the government; the government is often unwilling to take steps that may negatively impact those teachers' careers.³²

Due to these various reasons, groups of students of different genders, disabilities, immigrant heritage, and income levels are often discriminated against and denied their educational rights, despite the lack of any formal law that bans them from attending schools.³³ A resolution to this topic would include the creation of laws that would both target these various forms of indirect discrimination, and to provide means of ensuring that all students, regardless of their characteristics or individualities, were provided with an education that could allow them to reach their full potential in whatever careers or endeavors of their choosing.³⁴

Beyond the issue of gender-based education, many other groups of students are discriminated against and denied their education rights across the Middle East and Asia region. Among the various groups that are discriminated against without regard to their education or potential to succeed in school are students who exhibit disabilities. Students who are disabled in ways that prevent them from attending school without difficulty, such as students who have difficulty speaking, who have difficulty performing self-care activities, or those who have disabilities that are more severe than others, are likely to find that they are the most likely to have dropped out of school altogether at all levels of education.³⁵ Furthermore, even though students with disabilities may have been accepted into schools, their lack of reputation within those schools of

³¹ *Monitoring SDG 4: Education finance*. (2022). Unesco.Org. <https://www.unesco.org/gem-report/en/education-finance>

³² *Monitoring SDG 4: Education finance*. (2022). Unesco.Org. <https://www.unesco.org/gem-report/en/education-finance>

³³ UNESCO. (1960). *Convention against Discrimination in Education*. | UNESCO. [Www.Unesco.Org. https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education](https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education)

³⁴ United Nations. (2025). *Goal 4 | Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for All*. United Nations. <https://sdgs.un.org/goals/goal4>

³⁵ United Nations. (2025). *Goal 4 | Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for All*. United Nations. <https://sdgs.un.org/goals/goal4>

being successful in schooling or earning degrees can lead their teachers or administrators to either neglect them, or to intentionally expel these students from their schools; the reputation of the school often relies upon indicators of student success in schooling systems, and expelling students with disabilities allows for these administrators (who are often under pressure to control costs or to increase the number of students in the schools) to maintain such a reputation within their communities.³⁶

Each of these groups is discriminated against due to factors that are not related to any formal law that their countries have passed.³⁷ For instance, no country in the region has a formal law that states that students who are of a certain gender cannot attend school; yet, girls of the area are not provided with the same education as boys in most of the countries in these regions. Additionally, most countries do not have formal laws that state that immigrants or refugees cannot attend school; yet, refugees are not provided with the same education as other students in their countries.³⁸ Finally, the poor and low-income students are not banned by law from attending private schools, but their parents' lack of income prevents them from attending those schools.³⁹

Consequences of Discrimination in Education

The continued lack of education for many individuals in the Middle East and South Asia leads to negative impacts upon their lives and upon their society altogether. One of the most common outcomes of a lack of education for individuals is a lack of social standing within their society; individuals that are identified as having little education are identified in their communities as having little worth in society, and are mistreated by others in their community in any number of ways.⁴⁰ Such a standard directly correlates to an individual's lack of education, as individuals without any formal education are unable to participate in any formal society or to hold positions

³⁶ UNICEF. (2025b). *Inclusive Education*. Unicef; UNICEF.
<https://www.unicef.org/education/inclusive-education>

³⁷ UNESCO. (1960b). *Convention against Discrimination in Education*. | UNESCO.
Www.Unesco.Org.
<https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>

³⁸ UNHCR. (2024f). *Education*. Unhcr.
<https://www.unhcr.org/what-we-do/build-better-futures/education>

³⁹ The World Bank. (2022, October 12). *Ending Learning Poverty*. World Bank.
<https://www.worldbank.org/en/topic/education/brief/ending-learning-poverty>

⁴⁰ World Bank. (2018). *World Development Report 2018: Learning to Realize Education's Promise*. World Bank. <https://www.worldbank.org/en/publication/wdr2018>

of power within their society⁴¹, which is often constructed with the individuals of such high social standings performing the society's activities for the community and others.

Another of the ways that individuals without education impact their society is through the economy of their individual country. In 2015, the organization UNESCO revealed that the lack of education among individuals in the world was costing their economy an estimated US\$10 trillion per year; an amount that is larger than the Gross National Products (GNP) of both France and Japan for that year.⁴² Additionally, if the education gap in these countries was closed and each child in each nation was guaranteed to complete school, UNESCO estimated that the world economy would see an increase in their future Gross Domestic Products (GDP) of more than US\$6.5 trillion per year.⁴³ Furthermore, each additional year that an individual gains in schooling increases their earning potential by 10% for the individual; additionally, every dollar that is invested into providing an individual with an additional year of education for those living in low-income countries will return five dollars in future earnings for that individual.⁴⁴ As a result, those who had no education or who had limited education opportunities are forced to take the lowest-paying jobs in their society; they are unable to negotiate their working hours, wages, or working conditions for them; and the jobs that they are offered typically do not require an individual to have completed secondary school or to possess a degree in any field.⁴⁵ Additionally, those who are forced into these jobs are often forced to work excessive hours, are exposed to dangerous working conditions, and are provided wages that are insufficient for the support of themselves and their families; there is little to no legal recourse for these individuals against their workplaces.⁴⁶ Yet, if all adults in the world had completed their secondary education, UNESCO has calculated that 420 million individuals would have been able to leave their countries out of poverty, reducing the number of individuals in the world who live in poverty

⁴¹ UNESCO. (2017). *Education for Sustainable Development goals: Learning Objectives*. Unesco.Org; UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000247444>

⁴² UNESCO. (2017). *Education for Sustainable Development goals: Learning Objectives*. Unesco.Org; UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000247444>

⁴³ UNESCO. (2017). *Education for Sustainable Development goals: Learning Objectives*. Unesco.Org; UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000247444>

⁴⁴ Anthony, Psacharopoulos, H. (2025). *Returns to investment in education : A decennial review of the global literature*. World Bank. <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/442521523465644318>

⁴⁵ ILO. (2024, January 28). *Research and Publications | International Labour Organization*. WwW.Ilo.Org. <https://www.ilo.org/research-and-publications>

⁴⁶ ILO. (2024a, January 28). *Decent Work and the 2030 Agenda for Sustainable Development*. International Labour Organization. <https://www.ilo.org/topics-and-sectors/decent-work-and-2030-agenda-sustainable-development>

by more than half, and by nearly two-thirds in regions as populated as sub-Saharan Africa and South Asia.⁴⁷

Finally, the lack of education of entire groups of students within entire societies has an impact upon the politics and government of those countries.⁴⁸ Many individuals who are lacking in education are also lacking in knowledge of various political topics, issues, and outcomes of various policies; they have not been provided the education in their schools that has enabled them to become knowledgeable in these topics.⁴⁹ Furthermore, the political systems and governments of the country often require the support or the vote of these individuals; if their votes are not secured for the policies that they wish to implement, the country may deviate from those policies or those governmental outcomes.⁵⁰ Thus, the country's government is also directly related to the outcomes of the votes of these undereducated individuals.⁵¹

The economic damage that results from all of this scales up from individuals to the nation as a whole. A nation that does not educate the majority of its citizens will find that it does not have enough individuals that are qualified to perform the jobs that require high levels of skill and wages, as well as it will lose the potential for innovation that its citizens would otherwise create if it had a higher level of education.⁵² These factors are partly responsible for the poverty that exists within many resource-rich nations; UNESCO has determined, for instance, that nations like those in Sub-Saharan Africa are missing close to a fifth of their projected GDP each year due to the tendency of their citizens to drop schools early, and even more if the skill in performing basic tasks is also considered.⁵³

⁴⁷ UNESCO. (2025). *Global Education Monitoring Report*. Wwww.Unesco.Org.
<https://www.unesco.org/gem-report/en>

⁴⁸ UNESCO. (2025c). *Global Education Monitoring Report*. Wwww.Unesco.Org.
<https://www.unesco.org/gem-report/en>

⁴⁹ OECD. (2024). *Directorate for Education and Skills*. OECD.
<https://www.oecd.org/en/about/directorates/directorate-for-education-and-skills.html>

⁵⁰ Human Development Reports. (2024). *Human Development Reports | United Nations Development Programme*. Hdr.Undp.Org. <https://hdr.undp.org/>

⁵¹ UNESCO. (2023). *Global citizenship and peace education*. Unesco.Org.
<https://www.unesco.org/en/global-citizenship-peace-education>

⁵² *Education & Skills | World Bank Group*. (2025). Worldbank.Org.
<https://www.worldbank.org/ext/en/topic/education>

⁵³ UNESCO. (2025d). *Global Education Monitoring Report*. Wwww.Unesco.Org.
<https://www.unesco.org/gem-report/en>

Finally, each of these consequences continues to impact new generations of those individuals.⁵⁴ An individual that was never provided with an education is not able to provide the same type of education to their own children; they are unable to provide guidance to the children in their schooling, they are unable to assist with schoolwork, and they are not able to provide any knowledge of the schooling system or how to navigate it to their children.⁵⁵ Thus, each of these factors ensures that the children of those that were never educated are themselves likely to never be educated themselves; it is one of the most well-documented consequences of educational inequity as it relates to the families of those individuals.⁵⁶ Indeed, intervention needs to be provided to those children who are still within school themselves, rather than allowing for the same cycle to occur over and over with the new generations of parents of those students.⁵⁷

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Afghanistan

Afghanistan is one of the worst and most condemned cases of educational discrimination today. Since the Taliban returned to power in August 2021, there has been a systematic withdrawal of girls' and women's right to education enforced through various discriminatory drafts of legislation based on the regime's understanding of Sharia law. Girls are not legally allowed to go to school after grade 9, and women have been almost completely banned from higher education, negating the undeniable achievements made by the Afghan people after the fall of the first Taliban regime in 2001. Nonetheless, this situation does not only concern unequal access to education, but rather an outright ban on getting an education imposed by the state.⁵⁸ To make this matter even worse, almost total absence of any legal protection for women and girls in other spheres of life should be taken into consideration, especially regarding child marriage. Since

⁵⁴ UNESCO. (2025e). *Global Education Monitoring Report*. Wwww.Unesco.Org. <https://www.unesco.org/gem-report/en>

⁵⁵ Organisation for Economic Co-operation and Development. (2024). *PISA: Programme for International Student Assessment*. OECD. <https://www.oecd.org/en/about/programmes/pisa.html>

⁵⁶ *Education & Skills | World Bank Group*. (2025b). Worldbank.Org. <https://www.worldbank.org/ext/en/topic/education>

⁵⁷ UNICEF. (2024). *Education*. Unicef.Org; UNICEF. <https://www.unicef.org/education>

⁵⁸ *Afghanistan: Four years on, 2.2 million girls still banned from*. (2025a, August 13). Unesco.Org. <https://www.unesco.org/en/articles/afghanistan-four-years-22-million-girls-still-banned-school>

Afghanistan has no effective enforcement mechanisms and legislative prohibitions regarding this practice, child marriage is very common and considered an alternative to the education and independence that girls are unable to acquire.

This dependence leads to a larger cycle of vulnerability; women in Afghanistan lack legal knowledge and understanding of their basic rights and thus have no way to protect themselves from violence, exploitation, and discrimination because they do not know what rights exist for them or how the legal mechanisms could theoretically help them.

The extent of the crisis is shocking, as it not only results in bans on secondary and higher education but also leads to the conclusion that approximately 30 percent of girls in Afghanistan do not complete primary education.⁵⁹ The ban on women's education affects family decisions about girls' education because families may decide not to send daughters to school at all. It is important to consider that according to several observers and human rights organizations, refusal to provide women with education is not random, but on the contrary, this is done – to keep women uneducated. This means that without education, women do not have an opportunity to change the current situation and defend their rights. Therefore, the decline of education rights in Afghanistan is aimed at controlling the situation.

Yemen

Since the outbreak of the civil war in 2014, Yemen's educational system has been severely damaged. Continuous fighting has obliterated the education system, increased poverty and deprived millions of children of a proper education.⁶⁰ In the seventh year of the war, almost 2916 schools, which is about one-fourth of the total number of schools in the country, have been either damaged or rendered unusable.⁶¹ The damage to schools is a huge concern for children and their education considering that there are no fast and affordable alternatives for public education in Yemen which could help families whose children have been deprived of schooling. It may mean that families have to send their children to some private institution where education is very expensive thus making it impossible for impoverished families to afford it. As a result, children from poorer families are even more likely to be deprived of schooling.⁶² This means that

⁵⁹ UNICEF. (2016). *Education*. Unicef.Org; UNICEF.
<https://www.unicef.org/afghanistan/education>

⁶⁰ ---. "The Number of Children Facing Education Disruption in Yemen Could Rise to 6 Million, UNICEF Warns." *Www.Unicef.Org*, 5 July 2021,
<https://www.unicef.org/press-releases/number-children-facing-education-disruption-yemen-could-rise-6-million-unicef-warns>. Accessed 1 Sept. 2026.

⁶¹ UNICEF. "Education." *Unicef.Org*, 2019, <https://www.unicef.org/yemen/education>. Accessed 1 Sept. 2026.

⁶² "Out-of-School Children in Yemen." *Unicef.Org*, 31 Dec. 2014,
<https://www.unicef.org/mena/reports/out-school-children-yemen>. Accessed 1 Sept. 2026.

wars and poverty are combined together in a discriminative way making education unavailable for some groups of population. Indeed, there is no doubt that child marriage is an important factor contributing to the widening of the gender gap when it comes to education in Yemen. For instance, in 1998, 53% of girls in Yemen got married before turning 18, while by 2023 this figure has decreased to around 30%.⁶³ Still, the issue of child marriage has not been resolved, which has significantly limited the opportunities for girls to get educated. Studies show that early marriages usually lead to dropping out of school early in life, as well as making it impossible to go to secondary and further education.⁶⁴ This clearly indicates that practices connected with marital customs should be banned in order to guarantee that children do not get forced to marry at such an age, when they still require education.

Nigeria

The education system in Nigeria suffers from systematic discrimination affecting disabled children, demonstrating that there is a lack of legislative and institutional backing in the country for accessible education. Not more than 5 percent of the nation's teachers have been trained to teach children with special needs, which leaves most of the disabled pupils unable to receive an education as teachers do not have the required knowledge and resources to make sure that children learn. Additionally, many places in Nigeria lack special schools for children, especially those dealing with severe illness. The absence of special schools and qualified personnel makes education for disabled children impossible as they cannot attend school due to a lack of proper infrastructure.⁶⁵

United Nations Educational, Scientific and Cultural Organisation

As the UN's principal educational agency, UNESCO is indispensable when it comes to addressing discriminatory practices in education, thus it is an important entity that any delegate must invoke in this committee's deliberations.⁶⁶ It is at the forefront of the global promotion of equitable access to quality education and collaborates with member states, civil society, and UN

⁶³ "Child Marriage Statistics for Yemen." *Child Marriage Data Portal*, <https://childmarriagedata.org/country-profiles/yemen/>. Accessed 1 Sept. 2026.

⁶⁴ "Stitching the Future." *Unicef.Org*, 2024, <https://www.unicef.org/yemen/stories/stitching-future>. Accessed 1 Sept. 2026.

⁶⁵ Vemuru, Varalakshmi, Martinez, Rosa Maria, Aderemi-Ige, Toyin Janet, Espinoza, Sabina Anne, Ilesanmi, Michael Gboyega. "Disability Inclusion in Nigeria : A Rapid Assessment." *World Bank*, 2025, <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/780571593336878236>. Accessed 1 Sept. 2026.

⁶⁶ ---. "The Right to Education." *Www.Unesco.Org*, UNESCO, 2023, <https://www.unesco.org/en/right-education>. Accessed 1 Sept. 2026.

agencies to develop policies, frameworks, and initiatives to affirm that education is a right that belongs to all regardless of one's sex, disability, ethnicity, socio-economic status, etc.

UNESCO's role in the adoption of the Convention against Discrimination in Education in 1960 is one of the most noteworthy. This Convention is one of the very first international legal documents related to education that defines what educational discrimination is and obligates countries that adopt it to abolish and prevent the occurrence of such discrimination. It is noteworthy that the Convention created a great norm foundation as it defined what educational discrimination is and outlined the obligation of states to ban it.⁶⁷

United Nations Children's Fund

The largest actor in terms of making sure that children actually make it to school around the world is UNICEF. UNICEF works closely with governments to establish initiatives, launch classrooms in broken school systems. Their main focus is children who have been historically marginalized by the system; girls, displaced children, children with special needs and those in poverty.⁶⁸ They target those most discriminated against right now in Afghanistan, Yemen, Nigeria ect. They keep track of the statistics that show who is locked out of school and how. That data drives policy changes and makes those governments actually fix the problems they are perpetuating.⁶⁹ Moreover, UNICEF contributes actively to the process of gathering and interpreting information on the phenomenon of global inequality in education. The organization conducts systematic monitoring of multiple indicators such as school enrollment and attendance, school leaving rates, gender, disability, and socioeconomic status, as well as a number of children who are out of school.⁷⁰ Exclusion of certain groups and identification of the reasons driving this exclusion empower the organization to provide the governments and international organizations with evidence for developing efficient educational policy. The work of UNICEF demonstrates that a combination of humanitarian assistance, collaboration with governments, and data collection makes the organization valuable in the context of global efforts aimed at combatting discrimination in education.⁷¹ UNICEF is one of the most important

⁶⁷ ---. "Convention Against Discrimination in Education. | UNESCO." *Www.Unesco.Org*, 1960, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>. Accessed 1 Sept. 2026.

⁶⁸ ---. "Education." *Unicef.Org*, UNICEF, 2024, <https://www.unicef.org/education>. Accessed 1 Sept. 2026.

⁶⁹ Unicef. "Education Overview - UNICEF DATA." *Unicef DATA*, 2017, <https://data.unicef.org/topic/education/overview/>. Accessed 1 Sept. 2026.

⁷⁰ ---. "Education." *Unicef.Org*, UNICEF, 2024, <https://www.unicef.org/education>. Accessed 1 Sept. 2026.
---. "Education." *Unicef.Org*, UNICEF, 2024, <https://www.unicef.org/education>. Accessed 1 Sept. 2026.

⁷¹ Hassfurter, Karoline. "Education for Children With Disabilities." *Unicef DATA*, 21 Dec. 2021, <https://data.unicef.org/resources/education-for-children-with-disabilities>. Accessed 1 Sept. 2026.

organizations in the international sphere engaged in providing children around the world with education. The organization cooperates with the governments of the countries, local authorities, NGOs, and other UN organizations in catering for proper educational programs, development of education systems, and establishment of learning opportunities in the countries disrupted by wars, poverty, and political issues. Special attention is paid to the groups of children that have been excluded from education historically such as girls, refugees, children with disabilities, and children living in poverty.⁷²

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
10 December 1948	The UN adopted the UDHR. Article 26 established education as a fundamental human right for all people without discrimination. ⁷³
14 December 1960	UNESCO adopted the first international treaty specifically prohibiting discrimination in education based on race, sex, language, religion, or social origin. ⁷⁴
16 December 1966	The UN General Assembly adopted the ICESCR, recognizing everyone's right to education and equal opportunity. ⁷⁵

⁷² ---, "Education in Emergencies." *Www.Unicef.Org*, UNICEF, <https://www.unicef.org/education/emergencies>. Accessed 1 Sept. 2026.

⁷³ ---, "Universal Declaration of Human Rights." *United Nations*, 10 Dec. 1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>. Accessed 1 Sept. 2026.

⁷⁴ ---, "Convention Against Discrimination in Education. | UNESCO." *Www.Unesco.Org*, 1960, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>. Accessed 1 Sept. 2026.

⁷⁵ ---, "International Covenant on Economic, Social and Cultural Rights." *Ohchr*, United Nations, 16 Dec. 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>. Accessed 1 Sept. 2026.

18 December 1979	The UN adopted CEDAW, requiring states to eliminate discrimination against women and girls in education. ⁷⁶
20 November 1989	The UN adopted the CRC, guaranteeing every child the right to education without discrimination. ⁷⁷
5 March 1990	Representatives from 155 countries met in Jomtien, Thailand, to commit to universal access to basic education. ⁷⁸
10 June 1994	UNESCO adopted the Salamanca Statement, promoting inclusive education for students with disabilities. ⁷⁹
28 April 2000	The Dakar Framework for Action was adopted, renewing the commitment to Education for All and reducing educational inequalities. ⁸⁰
13 December 2006	The UN adopted the CRPD, recognizing the right of persons with disabilities to inclusive education. ⁸¹

⁷⁶ ---. *Ohchr*, United Nations, 18 Dec. 1979, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-aga-inst-women>. Accessed 1 Sept. 2026.

⁷⁷ ---. “Convention on the Rights of the Child.” *Ohchr*, United Nations, 1989, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>. Accessed 1 Sept. 2026.

⁷⁸ ---. “World Declaration on Education for All and Framework for Action to Meet Basic Learning Needs.” *Unesco.Org*, 1990, <https://unesdoc.unesco.org/ark:/48223/pf0000127583>. Accessed 1 Sept. 2026.

⁷⁹ ---. “The Salamanca Statement and Framework for Action on Special Needs Education.” *Unesco*, 1994, <https://unesdoc.unesco.org/ark:/48223/pf0000098427>. Accessed 1 Sept. 2026.

⁸⁰ *Unesco.Org*, 2020, <https://unesdoc.unesco.org/ark:/48223/pf0000121147>. Accessed 1 Sept. 2026.

⁸¹ United Nations. “Article 24 - Education | Division for Inclusive Social Development (DISD).” *Social.Desa.Un.Org*, United Nations, 2006, <https://social.desa.un.org/issues/disability/crpd/article-24-education>. Accessed 1 Sept. 2026.

12 July 2013	Malala's speech to the UN highlighted the importance of girls' access to education worldwide. ⁸²
25 September 2015	UN member states adopted the SDGs, including Goal 4: Inclusive and Equitable Quality Education for All. ⁸³
23 March 2022	The Taliban reversed plans to reopen secondary schools for girls, restricting access to education. ⁸⁴
20 December 2022	Afghan authorities prohibited women from attending universities, drawing international condemnation. ⁸⁵

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

UNESCO Convention against Discrimination in Education (1960)

The 1960 Convention against Discrimination in Education Why it's useful: This was the very first binding international legal text exclusively on education.⁸⁶ It recognizes the obligation of States Parties to respect, protect, and promote the right of all persons to receive education that is inclusive and of good quality, accessible and equitable to all, and to ensure equality of

⁸² ---. "Home | Youth Affairs." *Un.Org*, 2025, <https://www.un.org/youthaffairs/en>. Accessed 1 Sept. 2026.

⁸³ ---. "Goal 4 | Ensure Inclusive and Equitable Quality Education and Promote Lifelong Learning Opportunities for All." *United Nations*, 2025, <https://sdgs.un.org/goals/goal4>. Accessed 1 Sept. 2026.

⁸⁴ BBC News. "Afghanistan: Taliban Closes Universities to Women." *BBC News*, 20 Dec. 2022, <https://www.bbc.co.uk/news/world-asia-64045497>. Accessed 1 Sept. 2026.

⁸⁵ Noori, Hikmat. "Taliban Ban Afghan Women From University Education." *The Guardian*, 20 Dec. 2022, <https://www.theguardian.com/world/2022/dec/20/taliban-ban-afghan-women-university-education>. Accessed 1 Sept. 2026.

⁸⁶ ---. "Convention Against Discrimination in Education. | UNESCO." *Www.Unesco.Org*, 1960, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>. Accessed 15 July 2026.

opportunity. The Convention was adopted by UNESCO at its General Conference on 14 December 1960, and came into force in May 1962.⁸⁷

It defined “discrimination” as broadly “ any distinction, exclusion, limitation or preference.. ”

⁸⁸There is no room for reservation to this convention-a rather extraordinary thing to say about human rights treaties- meaning countries either sign up for everything or not at all. About 111 countries had ratified the convention by late 2025 and their reports are considered periodically by the General Conference and monitored by a Conciliation and Good Offices Commission (rarely invoked).⁸⁹ Its greatest contribution has been in laying the groundwork for all future UN documents on education rights (e., CEDAW Article 10; CRPD Article 24; SDG 4), and the article 1 definition of discrimination remains standard. Its greatest weakness, predictably, has been enforcement. ” A good tool for establishing the precedent of early normative agreement on educational discrimination.⁹⁰

ICESCR International Convention on Economic, Social and Cultural Rights (1966)

By Articles 13 and 14, states assume the legal obligation to ensure free and compulsory primary education and progressive free secondary and higher education without distinction of any kind.⁹¹ Adopted by the General Assembly in 1966 and entered into force in 1976, ICESCR is one of the two Covenants (alongside ICCPR) that make the Universal Declaration of Human Rights legally binding.⁹² Article 13 outlines the objective of education-aimed at the “full development of the human personality” and the respect for human rights-and demands progressively free

⁸⁷ ---. “Convention Against Discrimination in Education. | UNESCO.” *Www.Unesco.Org*, 1960, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>. Accessed 15 July 2026.

⁸⁸ “Convention Against Discrimination in Education.” *Unesco.Org*, 2022, <https://www.unesco.org/en/right-education/convention-against-discrimination?hub=70224>. Accessed 15 July 2026.

⁸⁹ “Convention Against Discrimination in Education.” *Unesco.Org*, 2022, <https://www.unesco.org/en/right-education/convention-against-discrimination?hub=70224>. Accessed 15 July 2026.

⁹⁰ “Convention Against Discrimination in Education.” *Unesco.Org*, 29 Apr. 2026, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education#states-parties>. Accessed 15 July 2026.

⁹¹ United Nations. “International Covenant on Economic, Social and Cultural Rights.” *Ohchr*, United Nations, 16 Dec. 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>. Accessed 15 July 2026.

⁹² United Nations. “International Covenant on Economic, Social and Cultural Rights.” *Ohchr*, United Nations, 16 Dec. 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>. Accessed 15 July 2026.

secondary and higher education; Article 14 mandates that states that lack free compulsory primary education devise a plan of action in detail within two years of ratification.

CRPD Convention on the Rights of Persons with Disabilities (2006)

CRPD - Convention on the Rights of Persons with Disabilities (2006) CRPD is the first major, human rights based international treaty that places all aspects of disabled people's lives and disability to the foreground.⁹³ Article 24 demands states provide accessible general educational and vocational systems. It takes the trend of seeing people with disabilities from 'objects' of welfare, health or protection toward 'subjects', of their own lives able to make informed decisions about their own rights and active part in society to the highest level.⁹⁴

The states party to this treaty must ensure all humans and person's rights. Adopted in 2006, in force since 2008, the CRPD is a, the most the rapidly adopted treaty since the Convention against torture. Some 115 or 116 states have signed on, close to universal, and of these, about 100 have ratified the protocol so the individual complaints mechanism can be activated.⁹⁵ While CRPD is arguably the clearest paradigm shift among these conventions from an early 'care', 'medical' or 'charity' based to the modern social model of disability or a human-rights based approach and is the best the CRPD could achieve from a near-universal point of view of 115-116 countries it is far from well implemented on a national level and in too many countries parallel 'special' schools continue to operate as default.⁹⁶

The US signed in 2009, but could not gain sufficient Senate votes in 2012 to ratify, this gives a clear indicator of the disconnect between global consensus and US ratification of instruments related to disability that might demand certain 'action'.⁹⁷

CEDAW Convention on the Elimination of All Forms of Discrimination against Women(1979)

⁹³ United Nations. "Convention on the Rights of Persons with Disabilities." *United Nations*, 12 Dec. 2006, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>. Accessed 15 July 2026.

⁹⁴ United Nations. "Convention on the Rights of Persons with Disabilities." *United Nations*, 12 Dec. 2006, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>. Accessed 15 July 2026.

⁹⁵ "United Nations Treaty Collection." *Un.Org*, 2009, <https://treaties.un.org>. Accessed 15 July 2026.

⁹⁶ ---, "Convention on the Rights of Persons with Disabilities." *United Nations*, 2006, <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>. Accessed 15 July 2026.

⁹⁷

CEDAW Convention on the Elimination of All Forms of Discrimination against Women (1979) Article 10 states that States Parties shall take all appropriate measures to eliminate all forms of discrimination against women in education, and shall ensure on the basis of equality of men and women that women shall have equal rights to receive vocational training, the same choice of study at all levels of education and the same access to all educational fields, to study for the same careers and the same professions at all levels. ” Of the 189 State Parties (it’s one of the most widely ratified treaties), the only exception that has signed it, is the United States (there are also 5 states who haven’t even signed), a fact that regularly arises. Article 10 itself is highly detailed; addressing not only access to schools, but also curriculum, examination standards, scholarships, stereotyping in textbooks, sports, physical education etc.⁹⁸

One of the weaknesses, however, of CEDAW is that it allows States to make reservations, and many State Parties have done so in a manner that the CEDAW Committee has considered “incompatible with the object and purpose of this Convention”.⁹⁹ Its potential for global coverage is immense and it’s certainly the most focused document of the bunch in addressing discrimination not in access numbers, but within educational materials/curricula – the “soft discrimination”.¹⁰⁰ The vast numbers of reservations diminish its universal application though and no other treaty is missing the world’s economic giant as it does; a frequent diplomatic refrain when debating how to better ensure universal enforcement. A delegation might also cite CEDAW in pushing for a less permissive reservations framework, or a peer-review mechanism.¹⁰¹

Sustainable Development Goal 4 (2015)

SDG 4 works to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all with a strong emphasis on equal opportunity. The three fundamental targets include making certain that all children and youth complete free, equitable, quality primary and secondary education, increase the number of youth and adults who have relevant skills for

⁹⁸ ---. *Ohchr*, United Nations, 18 Dec. 1979,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>. Accessed 1 Sept. 2026.

⁹⁹ ---. “Convention on the Elimination of All Forms of Discrimination Against Women.” *Un.Org*, 2009,

<https://www.un.org/womenwatch/daw/cedaw/>. Accessed 1 Sept. 2026.

¹⁰⁰ *Convention on the Elimination of All Forms of Discrimination Against Women in Brief CEDAW for Adolescents Policy and Practice*.

¹⁰¹ Sehgal, Diganth Raj. “All About Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979.” *iPleaders*, 24 June 2021,

<https://blog.ipleaders.in/convention-elimination-forms-discrimination-women-cedaw-1979/>. Accessed 1 Sept. 2026.

employment, and eliminate gender disparity in education.¹⁰² It falls within the framework of the 2030 Agenda for Sustainable Development and was adopted by the General Assembly in 2015. Targets for completion. As all of the 193 countries within the United Nations adopted the Agenda, SDG 4 offers a universal demonstration of the global will to make quality education an international right and goal. It offers us clear benchmarks to gauge progress toward making certain that all the peoples in our world will have the chance to receive a complete education, but again, not enforceable under international law. SDG 4 may serve to illustrate the disparity that is between international agreements on policy (which SDG 4 definitely is)- and international law as well- which may then provide a basis for arguing that SDG 4 will necessitate the international community codifying laws that require equitable education for all.¹⁰³

UNESCO Global Convention on the Recognition of Qualifications concerning Higher Education (2019)

The UNESCO Global Convention on the Recognition of Qualifications concerning Higher Education (2019) This treaty: The Global Convention sets out global principles to achieve the fair, transparent, and non-discriminatory recognition of higher education qualifications, of qualifications giving access to higher education and qualifications opening the way for further education and for employment internationally.¹⁰⁴ Adopted by a global conference of UNESCO in November 2019, this is the first UN-based treaty covering global (rather than just regional) recognition for higher education, and supplements the five regional recognition conventions previously adopted by UNESCO. The convention came into force in May 2019 after reaching the required minimum number of ratifications; in 2026 approximately 41 states will have ratified it, including the UK, France, Japan, and Australia, all major host destinations for international students.

In terms of legal impact, its core provision is that individuals have a right to have qualifications assessed, with the view to further education or employment, in a fair, transparent, timely, non-discriminatory, and affordable process, also incorporating specific provisions for refugees and displaced persons unable to provide documentary evidence of their qualifications (Article VII). This is the newest treaty, most directly related to preventing discrimination in mobility schemes (e. G. Students whose degrees are regularly devalued abroad), and its provisions for refugees and displaced persons are very important.

¹⁰² The Global Goals. “Goal 4: Quality Education.” *The Global Goals*, 2025, <https://globalgoals.org/goals/4-quality-education/>. Accessed 1 Sept. 2026.

¹⁰³ UNESCO. “About Us.” *Unesco.Org*, 2025, <https://www.unesco.org/sdg4education2030/en/about-us>. Accessed 1 Sept. 2026.

¹⁰⁴ ---. “Global Convention on Higher Education | UNESCO.” *Www.Unesco.Org*, 2025, <https://www.unesco.org/en/higher-education/global-convention>. Accessed 1 Sept. 2026.

However its main shortcoming is its scope:

at just around 41 out of 193 UN member countries as of 2026 it is nowhere near universal, and several of the largest exporting countries for students have yet to join. This serves as a great example of how new treaties can be developed more rapidly in limited areas than broad earlier treaties, as well as a cautionary example of how even on relatively uncontroversial matters, accession takes a very long time, which should be taken into account when drafting resolution provisions that assume rapid adhesion to any new treaties.¹⁰⁵

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

UNESCO Convention against Discrimination in Education

Convention against Discrimination in Education by UNESCO in 1960, the first international instrument with legally binding force for the eradication of educational discrimination, the UNESCO Convention against Discrimination in Education, was adopted. The Convention mandates states parties to work towards the abolition of all discrimination in education and to ensure that there is no discrimination, by sex, race, language, religion, nationality and social origin. States parties must ensure equal access to education to all persons, as well as the abolition of any discriminatory legislation, regulations, customs and practices with regard to school admissions and educational facilities and opportunities.¹⁰⁶ The Convention was revolutionary for being the first legal instrument on the issue and still is a landmark piece of legislation. The implementation of the Convention was, however limited, by weak enforcement provisions as states parties are responsible to report to the UNESCO but no further follow-up or legal enforcement measures could be taken to guarantee that no country party to the Convention failed to adhere to their legal obligations. This led to a continuation of discrimination against girls, children with disabilities, and minorities in, for example, Afghanistan, Yemen, Nigeria ect, decades after the adoption of the Convention.¹⁰⁷

Convention on the Rights of a Child (1989)

Under this landmark international human rights treaty, access to education is a recognised right of every child, regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, disability or birth. Like the earlier Conventions, it recognizes that boys and girls must have equal access to education, regardless of disability,

¹⁰⁵ ---. "Global Convention on Higher Education | UNESCO." *Www.Unesco.Org*, 2025, <https://www.unesco.org/en/higher-education/global-convention>. Accessed 1 Sept. 2026.

¹⁰⁶ ---. "Convention Against Discrimination in Education. | UNESCO." *Www.Unesco.Org*, 1960, <https://www.unesco.org/en/legal-affairs/convention-against-discrimination-education>. Accessed 1 Sept. 2026.

¹⁰⁷ *Unesco.Org*, 2023, <https://unesdoc.unesco.org/ark:/48223/pf0000188526>. Accessed 1 Sept. 2026.

ethnicity and social background. The Convention on the Rights of the Child (CRC) recognizes that access to education is a basic human right and states must ensure that everyone has equal access to education without discrimination on the basis of sex, disability(s), ethnic origin, or social background. It continues to emphasize that all children should have equal opportunities regardless of their sex, disability(s), ethnicity, or social background. By introducing children's right to education on an international legal level, the CRC has taken a valuable step towards combating inequalities in education.¹⁰⁸ Nevertheless, the effectiveness of the Convention is based mainly on the progress at the national level. The Committee on the Rights of Children oversees how countries implement their duties and offers its recommendations, but it has only limited means of ensuring compliance with its requirements by states. This means that the countries, which have already ratified the particular Convention, can still have the discriminatory barriers. Besides, the presence and the recognition of equal opportunities in the law do not automatically ensure that these opportunities would be offered in practice as well. Inequities in education may be caused by factors like high poverty level, poor access to the educational infrastructure, and lack of qualified teachers, wars, and other forceful circumstances in the country.¹⁰⁹

Education For ALL Initiative

In 1990, the Education For All (EFA) Initiative was started by UNESCO, and then reaffirmed at the World Education Forum in Dakar in 2000. It was a global movement to ensure all children, youth and adults have access to quality basic education and develop education programs that encompass six main goals such as providing universal primary education; ensuring access to education for girls; improving adult literacy rates, and increasing access and opportunities to education for marginalized groups of children living in poverty, ethnic minority children, refugee children and disabled children.¹¹⁰ With the financial support and international cooperation provided by the EFA Initiative, school enrollment rates around the world increased and many regions have achieved a significant reduction in the gender gap in education. However, at the end of the EFA Initiative in 2015, there were still millions of children who were not receiving any formal education and significant disparities existed in terms of access to education; thus indicating the need for stronger legal and institutional measures to end discrimination in education.¹¹¹ Education for All initiative was a significant development in the international

¹⁰⁸ "Google Search." *Google.Com*, 2026, [https://www.google.com/search?client=safari&rls=en&q=Convention+on+the+Rights+of+a+Child+\(1989\)&ie=UTF-8&oe=UTF-8](https://www.google.com/search?client=safari&rls=en&q=Convention+on+the+Rights+of+a+Child+(1989)&ie=UTF-8&oe=UTF-8). Accessed 1 Sept. 2026.

¹⁰⁹ Wikipedia Contributors. "Convention on the Rights of the Child." *Wikipedia*, Wikimedia Foundation, 16 Dec. 2018, https://en.wikipedia.org/wiki/Convention_on_the_Rights_of_the_Child. Accessed 1 Sept. 2026.

¹¹⁰ "UNESCO-Education for All | Research Starters | EBSCO Research." *Ebsco*, 2015, <https://www.ebsco.com/research-starters/education/unesco-education-all>. Accessed 1 Sept. 2026.

¹¹¹ ---. "Education for All." *United Nations*, United Nations, 2023, <https://www.un.org/en/academic-impact/education-all>. Accessed 1 Sept. 2026.

campaign against educational inequity. It created monitoring tools to assess the world's progress toward educational equality, created global targets to guide governments, international organizations, and civil society toward universal education. Its major drawback is the fact that not all of its aims were fulfilled by 2015. Although the countries were able to considerably improve primary school participation rates and gender ratios, the progress was not uniform: the children in poverty, in conflict, with disabilities, and isolated geographically remained marginalized. The Education for All initiative has mainly non-binding constraints, which is why the governments could not be held responsible for the obligations assumed.¹¹² The shortage of finances, the poorly functioning education systems, wars, and ineffective administrative measures also hampered the implementation of the initiative in some of the countries. Therefore, it can be concluded that in spite of raising awareness about educational disparities, the Education for All initiative lacked concrete leverage to make countries address the problem of educational inequality.

POSSIBLE SOLUTIONS

Creation of a legal framework based on the framework of UNESCO

The development of a new, binding global legal regime, building on the 1960 Convention. The development of a new treaty, grounded in, but replacing, the 1960 Convention against Discrimination in Education. Such a regime would be the most straightforward and powerful solution, retaining the Convention's structure-including its Article 1 definition of discrimination, its ban on reservations, and its core prohibitions on both disparate access and inferior standards-while expanding it significantly. In particular, it would establish an individual complaint mechanism similar to the CRPD Optional Protocol, enabling students, parents, and advocacy groups to directly bring their cases to a treaty body rather than rely solely on state reporting.

It would also extend the scope of explicit prohibited grounds of discrimination, including disability, displacement, refugee status and indigenous status which the 1960 Convention never names but the CRPD makes explicit; integrate the inclusive education standard of CRPD Article 24; integrate the content-level curriculum protections of CEDAW Article 10; and insert a binding annex of minimum standards (e. , on completion, gender, or teacher qualifications) as directly enforceable treaty provisions rather than voluntary SDG targets. Lastly, the dispute resolution mechanism, under the current 1960 Convention the Conciliation and Good Offices Commission, currently rarely invoked, would be enhanced, given real powers to refer cases as under CEDAW and CRPD mechanisms. Importantly, the existing 1960 Convention contains no reservation

¹¹² ---. Ebsco, 2015, <https://www.ebsco.com/research-starters/education/unesco-education-all>. Accessed 1 Sept. 2026.

clause, and any new instrument should replicate this prohibition to ensure states cannot selectively reject provisions.

This could be designed as a Protocol to the 1960 Convention in order to avoid some of the ratifications barriers, with states that have ratified the 1960 Convention able to easily ratify the Protocol as a supplementary layer of rights rather than a full process for the negotiation of an entirely new treaty. Given the already crowded field of human rights treaty bodies and the difficulties the Global Convention against Torture has faced in achieving a reasonable number of ratifications after nearly seven years in force (approximately 41 parties to date), a Protocol attached to a well-established Convention will achieve a wider number of ratifications more rapidly.

Tackling Socioeconomic Disparities

Addressing socioeconomic inequalities in education Access to education remains deeply influenced by socioeconomic factors, and any anti-discrimination framework on education must address economic status along with other traditional protected attributes such as race, gender and disability. A new legal regime could mandate the government to strengthen and expand government-funded scholarships and financial assistance programmes aimed at low-income students, ensuring eligibility is determined on a basis of need, not just merit, so that those with the greatest financial need are the highest beneficiaries. This would work in tandem with a commitment from governments to regulate or even prohibit excessive school fees - not just tuition, but also all those ancillary or hidden costs such as registration fees, examination fees, compulsory uniform/supply purchasing - such that students are not effectively excluded from "free" public schools based on ability to pay such costs. Finally, it could also require the universal provision of free or affordable educational materials, school meals and transportation, as the cost of such supporting resources often make the difference for whether low-income families can keep children in school even if tuition is free.

This solution relates directly to Article 13 and 14 of the ICESCR, which already call for states parties to move towards free primary education, and to make higher education available progressively on the basis of capacity, by every appropriate means - including, in particular, by the progressive introduction of free education. But, as has already been argued above, "progressive realization" is inherently vague and is likely to be under-interpreted and underspecified, unless, for example, specific, binding measures such as cap-related prohibitions on fees and mandatory provision of scholarships for those on lowest incomes are adopted within a broader framework. These could provide closer approximations to specific minimum standards, similar to the minimum standards annex developed in Solution 1. Feasibility This solution is perhaps more feasible than many other anti-discrimination proposals in practice.

Most socioeconomic-based measures, such as level of financial aid, schedules of fees or the coverage of school meals programmes are easily monitored and reported on (being based on specific quantitative data) and can therefore lend themselves well to robust, verifiable compliance mechanisms. The greatest challenge lies with the cost for those of the least

developed countries, which will probably not be able to fund the provision of free transportation, meals, books and supplies without international assistance, for instance through a dedicated financing facility.

Strengthening Laws Against Discrimination

Domestic Laws on Discrimination For all international legal instruments, effective change comes down to whether or not a given country's domestic legal framework truly supports those provisions – international law generally only binds a State internationally, and will not generally be directly enforceable in a domestic court unless it is explicitly integrated into national law.), thus translating internationally binding commitments into domestic legal guarantees of equality. It would also be helpful for States to explicitly guarantee a right to education through a constitution or their domestic legal codes, making it as fundamental and enforceable as the right to free expression. Finally, educational institutions could face sanctions if found to be discriminating, such as loss of accreditation, fines or loss of access to public funds.

This is important because it plugs a hole that is common across many of the instruments discussed – while a number of instruments are binding at an international level (the 1960 Convention, ICESCR, CEDAW, CRPD), there is nothing that obliges States to implement those principles within the domestic legal framework. If you combined this with the international individual complaints mechanism , it would likely be very effective – complaints committees serve best when there is no other legal avenue for individuals (other than a protracted national judicial process) that can help them bring a case – they serve best when they are a last resort. Feasibility – this would perhaps be the most politically sensitive solution of all three. It is also one that may raise difficulties in federal systems (such as the US or Canada), where education is typically a state-level or provincial issue and not a national one.

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