



Women and girls with disabilities account for almost one-fifth of the world's population of women and girls.<sup>1</sup> Despite having the same rights to education as their male counterparts and non-disabled peers, girls with disabilities are the most excluded group of children from all educational settings from primary school to higher education settings due to multiple and intersecting forms of discrimination on the basis of both their gender and their disability. Global estimates indicate that only 41.7% of girls with disabilities have completed primary school, compared to 50.6% of boys with disabilities and 52.9% of girls without disabilities.<sup>2</sup> Children with disabilities also have lower transition rates to higher levels of education.<sup>3</sup> Overall, the global literacy rate for women with disabilities may be as low as 1%.<sup>4</sup> The lack of education has long-term effects on women with disabilities in the work force, as is indicated by the fact that only 25% of women with disabilities are in the workforce worldwide.<sup>5</sup> However, existing laws, policies, and programs do not adequately address the various educational barriers faced by women and girls with disabilities.

## Violations of the Right of Women & Girls with Disabilities to Education

### Low enrollment in schools due to harmful gender- and disability-related stereotypes

- Girls with disabilities are often kept in the home and their births may not be registered because of assumptions about their abilities or embarrassment on the part of the family; as a result, girls with disabilities are frequently invisible to the education system.<sup>6</sup>
- Harmful stereotypes about the abilities and potential of girls with disabilities contribute to a perception that they are not worthy of an education. For example, girls with disabilities are frequently perceived to be unable to contribute to the family unit or to become financially successful; thus they are typically the last family members to receive resources, including those necessary to attend school.<sup>7</sup>

### Violence and bullying against girls with disabilities

- Girls with disabilities experience heightened rates of bullying and teasing by their peers based on their disability and gender, which negatively impacts a child's emotional and cognitive development and can also cause low self-esteem.<sup>8</sup>
- Girls in special education institution settings face heightened risks of sexual violence due to their isolation. Parents may also be reluctant to send their daughters to school out of concerns for their safety and/or cultural expectations that girls stay close to home or not travel unaccompanied.<sup>9</sup>
- As a result of sexual violence and rape, girls with disabilities may also become pregnant, which can lead to early marriage and school drop-out.<sup>10</sup>

### Physical, geographic, and informational barriers to school attendance

- Schools equipped to educate children with disabilities—specialized or integrated—are often located in urban areas, and accessible transportation is often not available or may be more expensive for girls with disabilities because of the need for escorts for safety/cultural reasons. Transportation can prevent girls with disabilities from families with limited resources from attending school.<sup>11</sup>
- Students with disabilities are frequently segregated in special education schools, and due to various factors, students often live at the school, which can lead to isolation in such institutions.<sup>12</sup>
- Inaccessibility of school facilities and failure to provide reasonable accommodations often pose a greater barrier for girls with disabilities, as they may be less likely than their male counterparts to ask for assistance.<sup>13</sup>
- Educational materials are seldom available in alternative formats, such as Braille, large print, accessible multimedia, Easy Read, plain language, or sign language, and teachers often lack training on education techniques and materials to support students with disabilities.
- Menstrual management can also pose an additional barrier for girls with disabilities to exercise their right to education. Menstruation is often a taboo topic, and lack of access to appropriate hygiene products can prevent girls with disabilities from attending school when they are menstruating. Schools may also lack the resources or willingness to provide girls with disabilities with personal assistance with toileting.<sup>14</sup>

## Financial barriers to school attendance

- Families frequently prioritize the education of boys with and without disabilities, due to the prevailing assumption that a male child can contribute financially to the family. This is particularly true for families living in poverty, who are more likely to allocate limited resources to educating boys with the expectation that they will ultimately help support the family. When girls with disabilities require disability-related equipment or special transportation, families with limited resources may be even less likely to allocate resources to their education.<sup>15</sup>
- There is a direct correlation between poverty, being a child with disabilities and low rates of participation in education. Disabled girls are more likely to grow up in poor families, which places them at an educational disadvantage, and disabled girls living in rural areas also have less access to education.<sup>16</sup>

## Attitudinal barriers to education

- Teachers and other staff frequently lack education and training on the core values and competencies to accommodate inclusive learning environments.
- Education materials often perpetuate stereotypes regarding traditional female roles, and frequently exclude girls with disabilities altogether.<sup>17</sup>
- Girls with disabilities are more likely to be placed in restrictive educational settings and have less access to supports and services that might address their educational needs than boys with disabilities. Due to misconceptions about the capacity of girls with disabilities, particularly in math and science, they are often placed in lower level classes.<sup>18</sup>
- Disabled girls have few or no mentors with disabilities to act as role models or provide peer support, which can negatively impact academic self-esteem and career commitment.<sup>19</sup>

## Barriers to Comprehensive Sexuality Education (CSE) for Girls with Disabilities

Comprehensive sexuality education “aims to equip children and young persons with knowledge, skills, attitudes and values that will empower them to: realize their health, well-being and dignity; develop respectful social and sexual relationships; consider how their choices affect their own well-being and that of others; and, understand and ensure the protection of their rights throughout their lives,”<sup>20</sup> and it is an essential component of the right to education. Yet women and girls with disabilities face numerous barriers to accessing this essential information. In particular:

- CSE programs are seldom offered in specialized schools for children with disabilities. Low level of enrollment or participation of girls with disabilities in mainstream education programs often means that girls with disabilities have no access to CSE programs.
- Stereotypes that women and girls with disabilities should not be sexually active or misconceptions that they do not need sexual and reproductive health information similarly contributes to their exclusion from CSE programs.
- CSE information and materials are seldom published in alternative formats, so even where women and girls with disabilities have access to the programs, program materials may not be accessible.
- CSE curriculums rarely address specific concerns related to sexual and reproductive health for girls with disabilities, which means that they can miss out on information critical to their development.

## The Right To Education

A range of fundamental rights protected in a number of international and regional human rights treaties underpin the right of women and girls with disabilities to education, including the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Rights of the Child (CRC), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). These include the rights to:

- **Education**<sup>21</sup>
- **Equality and non-discrimination**<sup>22</sup>
- **Accessibility**<sup>23</sup>
- **Full inclusion in society and in the community**<sup>24</sup>
- **Rehabilitation and Habilitation**<sup>25</sup>
- **Work and Employment**<sup>26</sup>
- **Freedom of expression and opinion, and access to information**<sup>27</sup>

## What is Inclusive Education?

The Committee on the Rights of Persons with Disabilities (CRPD Committee) recognizes inclusive education as a fundamental right of all learners. Inclusive education requires a transformation of the education system to dismantle barriers to education and to ensure that both formal and informal educational environments accommodate the different requirements of all individual students. Inclusive education seeks to ensure participation, accessibility, attendance, and achievement for all students.

Core components of inclusive education include, among other elements: a 'whole systems' approach, a 'whole educational environments' approach, a 'whole person' approach, supported teachers, respect for and value of diversity, and a friendly learning environment.

Source: CRPD Committee, General Comment No. 4 on the right to inclusive education, U.N. Doc. CRPD/C/GC/4 (2016).

## Government Obligations to Ensure the Right to Education<sup>28</sup>

Governments have specific obligations under international law to respect, protect, and fulfil the right to education, including for women and girls with disabilities.

### Governments must:

- Respect:** This obligation requires States to avoid directly hindering or preventing the enjoyment of the right to education for girls with disabilities, for instance, by failing to legislate for inclusive education programs.
- Protect:** This obligation requires States to protect the right to education of women and girls with disabilities from interference by private actors, for instance, by ensuring that family members or guardians do not prevent girls with disabilities from enrolling in or attending school. This includes the obligation to dismantle harmful patriarchal and ableist stereotypes that contribute to the prioritization of education for boys and children without disabilities.
- Fulfil:** This obligation requires States to take positive measures to ensure that girls with disabilities have effective access to inclusive education. This includes, for instance, the obligation to ensure accessible and safe transportation for girls with disabilities to reach integrated schools, particularly for those located in rural areas.

### Governments must also ensure that education is:

- Available:** This requires that accessible educational institutions, facilities (including accessible bathroom facilities), trained teachers, and accessible educational materials are available in sufficient quantity throughout the state.
- Accessible:** This requires that the entire education system must be accessible to everyone in both law and practice, including buildings, information and communications tools, the curriculum, educational materials, teaching methods, assessments and language and support services. Accessibility also includes non-discrimination on the basis of disability, gender, and other social characteristics and economic accessibility (including free primary education and affordable secondary and higher education).
- Acceptable:** This requires that states design and implement all education-related facilities, goods and services taking fully into account and respecting the requirements, cultures, views and languages of persons with disabilities.
- Adaptable:** This requires states to create adaptable learning environments and develop instruction to meet the diverse needs of all learners. Curricula and assessment tools must be flexible to accommodate the requirements of each individual student.

## Realizing The Right to Education for Women and Girls with Disabilities

- Educators in formal and informal educational environments must receive training on inclusive learning environments, including training on a basic understanding of human diversity, the human rights model of disability, inclusive pedagogy including how to identify individual students' functional abilities and learning styles to ensure their participation in inclusive educational environments, and reasonable accommodations.
- Provision of individual support and reasonable accommodations for students with disabilities must be prioritized and should be made available free of charge.
- Girls with disabilities and their families must have access to financial support for school enrollment, such as scholarship programs, to facilitate their participation in the education system.
- States must implement a comprehensive approach to gender- and disability-sensitive violence prevention and response, including ensuring accessible CSE programs that teach students about healthy relationships and accessible social services aimed at sexual and gender-based violence prevention, protection and rehabilitation.
- Schools must provide accessible sanitation facilities and supports at schools to ensure hygienic menstrual management for girls with disabilities.
- Awareness-raising campaigns must address the underlying stigma and stereotyping that contributes to the exclusion of girls with disabilities from education systems and to heightened rates of bullying.

- 1 WORLD HEALTH ORGANIZATION (WHO) AND WORLD BANK, WORLD REPORT ON DISABILITY (2011).
- 2 *Id.*, at 206.
- 3 *Id.*, at 232.
- 4 "Some Facts about Persons with Disabilities," Convention on the Rights of Persons with Disabilities, <http://www.un.org/disabilities/convention/facts.shtml>.
- 5 WORLD BANK, *Women with Disability* (2009).
- 6 UNICEF, *Promoting the Rights of Children with Disabilities*, Innocenti Digest No. 13, p. 4 (2007).
- 7 WHO AND WORLD BANK, *supra* note 1.
- 8 Stephanie Ortoleva, "Yes, Girls and Women with Disabilities Do Math! An Intersectionality Analysis," *Disability, Gender and the Trajectories of Power* (2015), at 15.
- 9 Sigrid Arnade & Sabine Haefner, *Gendering the Comprehensive and Integral Int'l Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities* 7 (2006); Harilyn Rousso, *Gender and Education for All: The Leap to Equality*, UNESCO, Education for All Global Monitoring Report, Background Paper (2003).
- 10 ANTONOWICZ, LAETITIA, EDUCATION FOR CHANGE LTD., TOO OFTEN IN SILENCE 29 (2010).
- 11 Rousso, *supra* note 9.
- 12 *Id.*, at 14.
- 13 *Id.*, at 17.
- 14 Rangita de Silva de Alwis, *Disability Rights, Gender, and Development: A Resource Tool for Action: Rep. of the Secretariat* 98 (2008); Rousso, *supra* note 9, at 17.
- 15 WORLD HEALTH ORGANIZATION (WHO) AND WORLD BANK, WORLD REPORT ON DISABILITY (2011); ROUSSO, *supra* note 9, at 7.
- 16 Rousso, *supra* note 9, at 6.
- 17 Rangita de Silva de Alwis, *supra* note 14.
- 18 Rousso, *supra* note 9, at 19, 23.
- 19 Donna Martens, Judith Mounty & Amy Wilson, *Gender Equity for People With*

*Disabilities*, Handbook for Achieving Gender Equity Through Education, 583, 586 (2007); Rangita de Silva de Alwis, *supra* note 14.

- 20 United Nations Educational, Scientific and Cultural Organization (UNESCO), Revised Edition International Technical Guidance on Sexuality Education: An Evidence-Informed Approach 16 (2018).
- 21 Convention on the Rights of Persons with Disabilities (CRPD), Art. 24; Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Art. 10; Convention on the Rights of the Child (CRC), Art. 28; International Convention on Economic, Social and Cultural Rights (ICESCR), Art. 13; African Charter on Human and People's Rights (African Charter), Art. 17; African Charter on the Rights and Welfare of the Child (ACRWC), Art. 11; Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), Art. 13; Protocol to the European Convention on Human Rights (ECHR Protocol), Art. 2.
- 22 International Covenant on Civil and Political Rights (ICCPR), Art. 2; ICESCR, Art. 2; CRPD, Arts. 5-7; CEDAW, Arts. 1, 3; CRC, Arts. 2, 5; African Charter, Arts. 2-3; Maputo Protocol, Art. 8; American Convention on Human Rights (American Convention), Arts. 1, 24; Protocol of San Salvador, Art. 3; ECHR, Art. 14.
- 23 CRPD, Art. 9; Maputo Protocol, Art. 14.
- 24 CRPD, Arts. 3, 19; CRC, Art. 23; ACRWC, Art. 13;
- 25 CRPD, Art. 26.
- 26 CRPD, Art. 27; CEDAW, Art. 11; ICESCR, Art. 6; African Charter, Art. 15; Protocol of San Salvador, Art. 6.
- 27 CRPD, Art. 21; CEDAW, Art. 19; CRC, Art. 13; African Charter, Art. 9; American Convention, Art. 13; ECHR, Art. 10.
- 28 Committee on Economic, Social, and Cultural Rights, *General Comment No. 13: The right to education*, ¶¶ 46-50, U.N. Doc. E/C.12/1999/10 (1999); CRPD Committee, *General Comment No. 4 on the right to inclusive education*, ¶¶ 21-26, U.N. Doc. CRPD/C/GC/4 (2016).

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WEI works at the intersection of women's rights and disability rights to advance the rights of women and girls with disabilities around the world. Through advocacy and education, WEI increases international attention to—and strengthens international human rights standards on—issues such as violence against women, sexual and reproductive health and rights, access to justice, education, legal capacity, and humanitarian emergencies. Working in collaboration with women with disabilities rights organizations and women's rights organizations worldwide, WEI fosters cooperation across movements to improve understanding and develop cross-cutting advocacy strategies to realize the rights of all women and girls.