



From Theory to Practice: An overview of women's access to education in Afghanistan, Iran and Pakistan

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Abstract

This paper sheds light on the prevailing challenges women face in Iran, Afghanistan, and Pakistan in their pursuit of education. Despite the progress, access to education for women in these countries remains significantly limited due to cultural, societal, and institutional barriers. This study explores the existing laws and policies and the evolving status of women's education while examining key challenges, such as gender-based discrimination, social norms, early marriages, security concerns, and inadequate infrastructure. Drawing upon the literature review, the paper further delves into the complex interplay of factors hindering educational opportunities for women and the adverse implications for social and economic development. In conclusion, the paper proposes policy recommendations and interventions aimed at fostering gender equality and empowering women to gain access to quality education, thus contributing to sustainable development and inclusive growth in the region.

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I. Introduction

Equal access to education for women is of paramount importance due to its significant implications for societal progress and individual empowerment.¹ Ensuring gender equality in education not only upholds the principles of justice and human rights but also fosters economic development, social cohesion, and sustainable development. When women have equal opportunities to education, they can acquire knowledge, skills, and competencies that enable them to participate fully in social, economic, and political spheres. Consequently, societies benefit from a more diverse and inclusive workforce, enhanced productivity, and increased innovation.

On the other hand, the consequences of limited or denied access to education for women are far-reaching. Women who lack educational opportunities are more likely to face discrimination, poverty, and limited job prospects, perpetuating cycles of inequality and marginalization. They may be more susceptible to gender-based violence, early marriages, and inadequate healthcare. Additionally, societies that restrict women's access to education lose out on the immense potential and contributions that educated women can make in all spheres of life. Therefore, prioritizing equal access to education for women is not only a matter of justice and equity but also a strategic investment in the advancement of societies at large.

This paper examines the access to education for women and girls in Afghanistan, Iran, and Pakistan. The initial section focuses on presenting an overview of both international and national frameworks, as well as the policies implemented by these countries to enhance educational access. The subsequent section analyses the existing state of educational access and the measures being undertaken and highlights the obstacles encountered by women in accessing education. Finally, a brief review is conducted to address the necessary actions that have been or should be implemented to overcome the challenges related to women's educational access in these countries.

¹ The access to education for the purpose of this study paper means all levels of education.

II. Women's Access to Education Under International Law and the Obligation of the States under the International and the National Legal Framework

A. International Framework

The right to education is a fundamental entitlement acknowledged in various international treaties² and soft laws such as general comments and programmes of action.³ The Universal Declaration of Human Rights (UDHR), a momentous document in the annals of human history, proclaims that "everyone has the right to education" and emphasises the compulsory nature of elementary education.⁴ Likewise, the International Covenant on Economic, Social and Cultural Rights (ICESCR) dedicates articles 13 and 14 to delineating the right to education.⁵ This covenant delineates the dual responsibilities (positive and negative obligations) of states, including providing educational services and safeguarding individuals' rights to education, taking into account their religious and moral convictions.⁶ It is crucial to emphasize that in accordance with international human rights law, states are obliged to grant access to education to all citizens without discrimination on any basis. There is a growing consensus that education should empower individuals to develop their own personality and dignity, actively participate in a free society, and uphold human rights.⁷

Furthermore, women's access to education is not only firmly established and ensured by the aforementioned treaties but also reinforced by the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).⁸ This convention urges states to ensure that women

² The Universal Declaration of Human Rights (1948) (hereinafter "UDHR"); UNESCO Convention against Discrimination in Education (1960); International Covenant on the Elimination of All Forms of Racial Discrimination (1965); International Covenant on Economic Social and Cultural Rights (1966); Convention on the Elimination of All Forms of Discrimination against Women (1979)(hereinafter "CEDAW"); Convention on the Rights of the Child (1989); International Convention on the Protection of the Rights of All Migrant Workers and Members of their families (1990); Convention on the Rights of Persons with Disabilities (2006). In addition, the right to education has been enshrined in some regional treaties.

³ 155 governmental delegations adopted the World Declaration on Education for All; the Vienna Declaration and Programme of Action was adopted by 171 governmental delegations; the Convention on the Rights of the Child has been ratified or acceded to by 191 States parties; the Plan of Action of the United Nations Decade for Human Rights Education was adopted by a consensus resolution of the General Assembly (49/184).

⁴ The Universal Declaration of Human Rights (adopted in December 1948, General Assembly Resolution 217 A) ("hereinafter UDHR"), Article 26.

⁵ International Covenant on Economic, Social and Cultural Rights (adopted on 16 December 1966 and entered into force on 3 January 1976) ("hereinafter ICESCR").

⁶ Sital Kalantry, Jocelyn E Getgen and Steven Arrigg Koh, 'Enhancing Enforcement of Economic, Social, and Cultural Rights Using Indicators: A Focus on the Right to Education in the ICESCR' (2010) 32 Human Rights Quarterly 253 <<https://muse.jhu.edu/pub/1/article/380487>> accessed 10 July 2023.

⁷ Ibid, 310.

⁸ Convention on the Elimination of All Forms of Discrimination Against Women (adopted on 18 December 1979, entered into force on 3 September 1981) ("hereinafter CEDAW").

have equal opportunities for education compared to men.⁹ States that are party to these treaties must undertake appropriate measures to secure the right to education, which includes enacting specific laws, policies, and programs to eradicate any form of gender-based discrimination in terms of access, equality, and quality.¹⁰ In particular, states must ensure that girls and women do not face discriminatory practices and allocate sufficient resources to guarantee education, ensuring that these resources are distributed in a manner that recognises and addresses gender-specific concerns.¹¹ It is important to note that the state's obligations go beyond the mere provision of education on equal terms. They must also cultivate an enabling environment where all girls and women can freely exercise their right to education without fearing reprisal, discrimination, or gender-based violence.¹² The failure of states to fulfil these obligations contradicts the objectives outlined in the Sustainable Development Goals (SDGs) and impedes their ability to achieve them. Notably, SDG number 5 aspires to eliminate all forms of discrimination and violence against women and girls, ensuring their full and effective participation in all aspects of society.¹³

B. National Framework

To effectively comply with their international duties, states ought to establish a legal structure at the domestic level to effectively manifest their associated commitments towards safeguarding human rights through tangible actions. The ensuing sections delve into examining the legal frameworks and national policies pertaining to the accessibility of education for women within Afghanistan, Iran, and Pakistan to gain insight and evaluate the extent to which these states comply with their obligations.

a. Afghanistan

The enduring challenge of ensuring women's educational opportunities in Afghanistan has been a protracted concern, given the country's prolonged periods of conflict and instability.¹⁴ During the initial rule of the Taliban from 1996 to 2001, women were entirely prohibited from pursuing education and were compelled to confine themselves to their residences.¹⁵ Nevertheless, subsequent to the fall of

⁹ CEDAW, Article 2.

¹⁰ United Nations, Comment No. 13: The right to education (article 13) (1999), <https://www.ohchr.org/en/resources/educators/human-rights-education-training/d-general-comment-no-13-right-education-article-13-1999>.

¹¹ Ibid.

¹² Ibid.

¹³ 'Gender Equality and Women's Empowerment | Department of Economic and Social Affairs' <<https://sdgs.un.org/topics/gender-equality-and-womens-empowerment>> accessed 10 July 2023.

¹⁴ Mehtarkhan Khwajamir, 'History and Problems of Education in Afghanistan' (2016) 26 SHS Web of Conferences 01124 <<http://www.shs-conferences.org/10.1051/shsconf/20162601124>> accessed 10 July 2023.

¹⁵ Ibid, 3.

the Taliban in 2001, the Afghan government made significant advancements in augmenting women's access to education through the establishment of comprehensive national legal frameworks. The Constitution of Afghanistan of 2004 safeguarded the right to education for all Afghan citizens, including women.¹⁶ It identifies the level of free education, asserting that 'education is the right of all citizens of Afghanistan, which shall be offered up to the bachelor's degree level, free of charge by the state'.¹⁷ It further stipulates that 'the state shall formulate and implement effective initiatives for the expansion of education, including for the education of girls and women'.¹⁸ These constitutional provisions reflect the government's unwavering dedication to ensuring gender parity in educational opportunities.

In 2006, the Afghan government devised the National Education Strategic Plan (NESP) to augment overall school enrolment rates, with a particular emphasis on girls.¹⁹ The plan established a target of increasing the enrolment of girls in primary schools from 35% in 2006 to 60% by 2010.²⁰ The NESP also encompassed measures aimed at enhancing the quality of education, such as teacher training programs and the development of educational resources.²¹ Objectives of the NESP II (2010-2014) were to establish a suitable educational setting for female students and to achieve a 72% gross enrolment rate specifically for girls by 2014.²² Additionally, within a target population of 3.6 million individuals, 60% of those intending to participate in literacy courses were expected to be women.²³ The plan also placed notable emphasis on addressing the educational needs of individuals with disabilities while simultaneously prioritizing the expansion and enhancement of educational infrastructure nationwide.²⁴ The NESP III (2017-2021) took a holistic approach to bridge the gap in access to education between the urban and rural areas, focusing on student enrolment from poor and disadvantaged backgrounds, reducing gender disparities, enhancing infrastructure, and improving education quality and access.²⁵

¹⁶ The Afghanistan Constitution (2004).

¹⁷ Afghanistan Constitution, Article 43.

¹⁸ Afghanistan Constitution, Article 44.

¹⁹ Government of Afghanistan, Ministry of Education, National Education Strategic Plan 2006 – 2010 <<https://negmap.bangkok.unesco.org/wp-content/uploads/2019/08/National-Education-Strategic-Plan-for-Afghanistan.pdf>> accessed 11 July 2023.

²⁰ Ibid, 12.

²¹ Ibid, 15.

²² Government of Afghanistan, Ministry of Education, 'National Education Strategic Plan 2010 – 2014' P.3 <https://planipolis.iiep.unesco.org/sites/default/files/ressources/afghanistan_nesp_ii_2010-2014_draft.pdf> accessed 11 July 2023.

²³ Ibid, 4.

²⁴ Ibid, 4.

²⁵ Government of Afghanistan, Ministry of Education, 'National Education Strategic Plan 2017– 2021' <https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/nesp_final_20-01-2017_0.pdf> accessed 11 July 2023.

The government's endeavours to enhance women's access to education have garnered support from international organisations such as the United Nations. The United Nations Development Program (UNDP) has collaborated with the Afghan government to advocate for gender equality in education by devising policies and implementing programs.²⁶ The United States Agency for International Development (USAID) has also provided financial support for educational initiatives in Afghanistan, including projects to increase girls' enrolment in schools.²⁷ However, since the Taliban's takeover of Afghanistan in August 2021, there has been a ban on education for Afghan women.²⁸ The Taliban's interpretation of Islamic law, or Sharia, dictates that women should not be educated beyond a certain level, and they must be fully covered when in public.²⁹ Multiple reports from various organizations have presented compelling evidence, highlighting the adverse consequences of denying women their rights and access to education.³⁰ The findings of the Special Rapporteur on Afghanistan shed light on the Taliban's issuance of numerous edicts and decrees following their takeover, explicitly prohibiting women and girls from pursuing education.³¹ Notably, on September 2021, education for girls was restricted beyond the sixth grade, while on June 2022, all girls in the fourth to sixth grades were mandated to cover their faces while commuting to school.³² Furthermore, on December 2022, the right of women to attend university was "suspended", and in a later decree the same month, all forms of education beyond the sixth grade were banned for girls.³³

b. Iran

In Iran, the Constitution safeguards the right to education through Article 2, which stipulates that the government of the Islamic Republic of Iran is obligated to provide 'free academic and physical education, at all levels for everyone'. Furthermore, it emphasizes allocating resources to facilitate and

²⁶ United Nations Development Programme, 'Promoting Gender Equality in Education in Afghanistan' https://www.af.undp.org/content/afghanistan/en/home/library/gender_equality_in_education_in_afghanistan.html.

²⁷ USAID, 'Afghanistan Education Fact Sheet' <<https://www.usaid.gov/sites/default/files/2023-04/April%202023%20USAID%20Afghanistan%20Education%20Fact%20Sheet.pdf>> accessed 11 July 2023.

²⁸ 'Afghanistan: Taliban Ban Women from Universities amid Condemnation' *BBC News* (20 December 2022) <<https://www.bbc.com/news/world-asia-64045497>> accessed 11 July 2023.

²⁹ Victor J Blue and David Zucchini, 'A Harsh New Reality for Afghan Women and Girls in Taliban-Run Schools' *The New York Times* (20 September 2021) <<https://www.nytimes.com/2021/09/20/world/asia/afghan-girls-schools-taliban.html>> accessed 11 July 2023.

³⁰ 'Afghanistan: Taliban Deprive Women of Livelihoods, Identity' (*Human Rights Watch*, 18 January 2022) <<https://www.hrw.org/news/2022/01/18/afghanistan-taliban-deprive-women-livelihoods-identity>> accessed 11 July 2023. 'Afghanistan: Taliban's Outrageous Exclusion of Women and Girls from Universities Is Disastrous for Everyone, Say UN Experts' (*OHCHR*) <<https://www.ohchr.org/en/statements/2022/12/afghanistan-talibans-outrageous-exclusion-women-and-girls-universities>> accessed 11 July 2023.

³¹ Report of the Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls, [A/HRC/53/21](https://www.ohchr.org/en/hrbodies/hrc/202306/A/HRC/53/21), 20 June 2023.

³² *Ibid*, 4.

³³ *Ibid*.

enhance higher education opportunities.³⁴ The principle of non-discrimination is enshrined in Article 20 of the Constitution, emphasising equal protection and enjoyment of ‘human, political, economic, social, and cultural rights’ for both men and women.³⁵ While Article 21 of the Constitution focuses on women's rights without explicit reference to education, it generally encompasses the development of women's personalities and restoring their spiritual and material rights. This constitutional provision provides a comprehensive framework for addressing all aspects of women's rights. Additionally, Article 30 emphasises providing resources for public education up to the high school level and encourages the government to expand education until the nation achieves self-sufficiency.³⁶ This provision of the Constitution reaffirms the progressive realization of obligations with regard to education without immediate effect. To ensure women's education access, the Iranian government has implemented various policies to promote their educational opportunities. The Iranian government has taken steps to ensure that women can access education. It has put in place a number of policies to promote access to education for women.

The First Economic, Social, and Cultural Development Plan of the Islamic Republic of Iran (1989 – 1993) had a dual goal concerning women's education. Firstly, it aimed to enhance educational opportunities for women to improve their status and facilitate their increased involvement in socioeconomic, cultural, and familial spheres. Secondly, it sought to preserve ‘the values of the family and the character of the Muslim women’.³⁷ The plan recognized the importance of empowering women while ensuring that it aligned with the principles and expectations of the Muslim community. In the subsequent Second Development Plan (1994-1998), the focus expanded to include broader access to education for women at all levels, from primary to tertiary education.³⁸ This objective aimed to raise the overall literacy rate among women and minimize gender disparities in education.³⁹ The Third Development Plan (2000-2004) adopted a progressive approach, calling for a comprehensive assessment of gaps and requirements in women's education.⁴⁰ The plan tasked relevant stakeholders with identifying these needs in accordance with the ‘principles of Islam and future evolution of the

³⁴ Constitution of the Islamic Republic of Iran, Article 2.

³⁵ Constitution of the Islamic Republic of Iran, Article 20.

³⁶ Constitution of the Islamic Republic of Iran, Article 30.

³⁷ Mehran, G. (2003). The Paradox of Tradition and Modernity in Female Education in the Islamic Republic of Iran. *Comparative Education Review*, 47(3), 269–286. <https://doi.org/10.1086/378248>.

³⁸ Law on the Second Five-Year Economic, Social and Cultural Development Plan of the Islamic Republic of Iran [1994-2000], P 7-2. <https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=91667> accessed 11 July 2023.

³⁹ Ibid.

⁴⁰ Law on the Third Five-Year Economic, Social and Cultural Development Plan of the Islamic Republic of Iran [2000 -2004], P 12. <<https://paris21.org/sites/default/files/2924.pdf>> accessed 11 July 2023.

society'. The ultimate aim was to increase women's participation in various aspects of societal and familial life.⁴¹

The Fourth Development Plan (2005-2009) further emphasized the need to enhance public confidence in the competence of women. It required the revision of laws and regulations to strengthen women's skills based on society's needs and technological advancements.⁴² This plan acknowledged the significance of addressing societal beliefs and regulations to enable women to contribute effectively to the country's development.⁴³ The Fifth Development Plan (2010-2014) highlighted the improvement of education and increased access to education for all Iranians, including women.⁴⁴ It specifically emphasised the recruitment of women as teachers and the enhancement of master's and doctoral programs within the country.⁴⁵ This plan aimed to promote gender equality and empower women through educational initiatives.⁴⁶ The Sixth Development Plan (2016-2021) did not explicitly mention education but instead focused on the overall empowerment of women.⁴⁷ It aimed to advance women's rights and foster their active participation in social, economic, and political domains, leading to their increased empowerment and societal contribution.⁴⁸

These successive development plans demonstrate Iran's commitment to addressing gender disparities and promoting women's education and empowerment over the years. The plans have evolved to encompass various aspects of women's education, access to educational opportunities, and overall gender equality, aligning with the country's cultural values and future societal needs.

c. Pakistan

Pakistan has made remarkable strides in enhancing women's access to education, leveraging the power of national legislation. The Constitution of Pakistan, in its astute recognition of education as a fundamental right for all citizens, irrespective of gender, has laid the foundation for this transformative progress.⁴⁹ A pivotal turning point in Pakistan's commitment to educational equity came in 2010 when

⁴¹ *ibid.*

⁴² Law on the Fourth Five-Year Economic, Social and Cultural Development Plan of the Islamic Republic of Iran [2005-2009] <<https://faolex.fao.org/docs/pdf/ira167867.pdf>> accessed 11 July 2023.

⁴³ *ibid.*

⁴⁴ Law on the Fifth Five-Year Economic, Social and Cultural Development Plan of the Islamic Republic of Iran [2010 -2014], <<https://policy.asiapacificenergy.org/sites/default/files/Fifth%20Five-Year%20National%20Development%20Plan%20.pdf>> accessed 11 July 2023.

⁴⁵ *ibid.*

⁴⁶ *ibid.*

⁴⁷ Law on the Fifth Five-Year Economic, Social and Cultural Development Plan of the Islamic Republic of Iran [2016-2021] <<https://policy.asiapacificenergy.org/sites/default/files/Sixth%20Five-Year%20Development%20Plan%20%282016-2021%29%20%28FA%29.pdf>> accessed 11 July 2023.

⁴⁸ *ibid.*

⁴⁹ Constitution of Pakistan (1973), Article 25A.

the government passed the 18th Amendment to the Constitution. This significant milestone underscored the state's responsibility to furnish free and compulsory education to children aged 5 to 16 years.⁵⁰ Crucially, this constitutional amendment granted girls an equal entitlement to education, bridging the gender divide that had long hindered their educational pursuits.⁵¹ Different national laws and policies have played a significant role in determining the level of access women have to education. In 1972, Pakistan's government launched a national education policy that aimed to promote equal educational opportunities for all, including women. However, implementing this policy faced numerous challenges due to cultural and societal barriers.⁵² Another policy document was the Education For All (EFA) and its National Plan of Action (NPA) (2001 – 2015). The provision of free and compulsory education by 2015 to children, especially girls in 'difficult circumstances', was EFA's prime target, while the NPA envisaged the enrolment rate for females in primary and mid-level from 70 and 31 per cent, respectively to 120 per cent.⁵³ Moreover, the National Education Policy of Pakistan (2017-2025) is a testament to the resolute determination to provide equal educational avenues to both genders, emphasising empowering girls from marginalised and disadvantaged backgrounds.⁵⁴ This comprehensive policy blueprint delineates a comprehensive framework to address the multifaceted challenges impeding educational access and quality.⁵⁵ By targeting gender-based disparities head-on, the policy not only seeks to enable girls to overcome barriers to education but also to nurture an environment conducive to their academic success.⁵⁶

Despite the strong legal framework and significant policies and programs across Afghanistan, Iran, and Pakistan, women face various challenges in accessing education. Cultural, social, and economic barriers prevent many girls and women from pursuing an education, with poverty, early marriage, and gender discrimination among the primary impediments. While progress has been made in recent years, significant gaps in access and quality of education still exist for women in these countries. These

⁵⁰ PILDAT, 'Right to Free and Compulsory Education in Pakistan: Enforcement of Article 25-A of the Constitution of Pakistan' <https://schools.punjab.gov.pk/system/files/RighttoFreeandCompulsoryEducationinPakistanBackgroundpaper_0.pdf> accessed 11 June 2023.

⁵¹ Ibid.

⁵² Kaiser Bengali, 'History of Educational Policy Making and Planning in Pakistan'.

⁵³ National Plan of Action on Education for All (2001 - 2015), P 2 & 13

<https://planipolis.iiep.unesco.org/sites/default/files/ressources/pakistan_efa_npa_2003.pdf> accessed 12 July 2023.

⁵⁴ Pakistan National Education Policy (2017 – 2025)

<https://planipolis.iiep.unesco.org/sites/default/files/ressources/pakistan_national_education_policy_2017-2025.pdf> accessed 12 July 2023.

⁵⁵ Ibid.

⁵⁶ Ibid.

challenges underscore the ongoing need for policies and programs aimed at addressing gender inequality and improving educational opportunities for women in the region.

III. Current Women's Access to Education in (Afghanistan, Iran and Pakistan) and the Challenges They Face

The UN SDG 4 requires all states to ensure 'all girls and boys complete free, equitable and quality primary and secondary education' and provide 'equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university' by 2030.⁵⁷ It further emphasizes that the government should 'eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations'.⁵⁸ Despite education being a fundamental right and its acknowledged importance in international and national frameworks, its access, especially for women, encounter formidable challenges in these three countries. The section delves into investigating the legal, social, and cultural challenges they face.

a. Afghanistan

After being listed among the five dangerous countries to be a woman in, Afghanistan has become the only country in the world where girls and women are not allowed to go to school and university.⁵⁹ The ban on education has been met with outrage and concern from the international community, as it represents a significant setback for women's rights and gender equality in Afghanistan.⁶⁰ Before the Taliban's takeover, many Afghan women had made significant educational gains, with increasing numbers of girls attending schools and universities.⁶¹ Despite being ravaged by decades of conflict and oppression, Afghanistan witnessed a remarkable transformation in the educational achievements of its women since 2001- 2021. ⁶² The progress made by Afghan women in the realm of education stands

⁵⁷ 'Sustainable Development Goal 4: Quality Education | United Nations in Afghanistan' <<https://afghanistan.un.org/en/sdgs/4>> accessed 12 July 2023.

⁵⁸ Ibid.

⁵⁹ 'UN Agencies Recommitment to Women, Girls in Afghanistan One Year after Taliban Takeover | UN News' (15 August 2022) <<https://news.un.org/en/story/2022/08/1124662>> accessed 12 July 2023.

⁶⁰ 'Taliban's Ban on Girls' Education in Afghanistan' (*United States Institute of Peace*) <<https://www.usip.org/publications/2022/04/talibans-ban-girls-education-afghanistan>> accessed 12 July 2023.

⁶¹ Laiq Zirack, 'Women's Education: Afghanistan's Biggest Success Story Now at Risk' <<https://thediomat.com/2021/09/womens-education-afghanistans-biggest-success-story-now-at-risk/>> accessed 12 July 2023.

⁶² Ibid.

as a testament to their resilience, determination, and commitment to improving their lives and those of future generations.⁶³ Afghan women enrolment at all educational levels had increased tenfold between 2001 and 2018, and primary school enrolment had gone from zero to 2.5 million.⁶⁴ The proportion of female students in the country reached nearly 38 per cent, accounting for approximately 3.8 million individuals, by the year 2018.⁶⁵ This signifies a substantial growth compared to the mere enrolment of 5,000 Afghan girls in schools in the year 2001.⁶⁶ The advancements in girls' enrolment in schools have been remarkable over the past two decades, and a similar trend can be observed in the increased representation of women in higher education, witnessing an approximately 20-fold increase.⁶⁷ In 2001, the count stood at a mere 5,000 female students, whereas two decades later, the figure surpassed 100,000.⁶⁸

The ban on education has had severe psychological repercussions on Afghan women and girls as well as economic implications for the country. Belquis Ahmadi, a Senior Program Officer at the United States Institute of Peace, confirmed during an education panel held by the Geneva Centre for Human Rights Advancement and Global Dialogue that girls who are deprived of education are experiencing a range of mental health issues, including post-traumatic stress disorder, depression, anxiety, and suicidal thoughts.⁶⁹ These girls feel a sense of purposelessness and face uncertainty about their future. Teachers have reported difficulties in learning, as well as depression and anxiety among students.⁷⁰ Some girls resort to isolating themselves and turning to drugs, exacerbating the existing drug crisis.⁷¹ The scarcity of female mental health experts, coupled with travel restrictions imposed by the Taliban, leaves these girls without the necessary support, placing their mental well-being in critical jeopardy.⁷² According to UNICEF, the denial of high school education for girls in Afghanistan resulted in a significant financial loss of \$500 million, equivalent to approximately 2.5% of the country's GDP.⁷³ The report

⁶³ Ibid.

⁶⁴ 'Afghan Girls and Women Made Focus of International Education Day: UNESCO | UN News' (19 January 2023) <<https://news.un.org/en/story/2023/01/1132637>> accessed 12 July 2023.

⁶⁵ Zirack (n 61).

⁶⁶ Ibid.

⁶⁷ Ibid; 'Afghan Girls and Women Made Focus of International Education Day: UNESCO | UN News' (n 63).

⁶⁸ Ibid.

⁶⁹ Geneva Centre for Human Rights Advancement and Global Dialogue, *Defending Women's and Girls Rights to Education: Current Challenges and Perspectives*, P 8 & 9. <<https://gchragd.org/wp-content/uploads/2023/02/PUBLICATION-Defending-Women-and-Girls-Right-to-Education.pdf>> accessed 12 July 2023.

⁷⁰ 'Taking a Terrible Toll: The Taliban's Education Ban' (*United States Institute of Peace*) <<https://www.usip.org/publications/2023/04/taking-terrible-toll-talibans-education-ban>> accessed 12 July 2023.

⁷¹ Ibid.

⁷² Ibid.

⁷³ 'Depriving Girls of Secondary Education Translates to a Loss of at Least US\$500 Million for Afghan Economy in Last 12 Months' <<https://www.unicef.org/press-releases/depriving-girls-secondary-education-translates-loss-least-us500-million-afghan>> accessed 12 July 2023.

further projected that without ensuring girls' rights to access and complete secondary education, Afghanistan would be unable to recover the lost GDP or reach its full potential in terms of productivity.⁷⁴

b. Iran

Access to education for women in Iran has witnessed remarkable advancements over the past few decades across all educational levels, from primary to tertiary.⁷⁵ The female literacy rate has experienced a substantial increase, growing 2.4 times over a span of four decades.⁷⁶ Specifically, the urban areas witnessed an 88% literacy rate among women, while the rural areas achieved a 72% literacy rate.⁷⁷ This progress can be attributed to several factors, such as the establishment of safe learning environments, the implementation of targeted educational programs for rural and nomadic communities, and measures and policies that have been adopted to combat gender inequality, particularly in the realm of women's education.⁷⁸

Despite the progress made, significant disparities still exist in access to education, particularly in rural areas and among girls from disadvantaged families.⁷⁹ Gender segregation within educational institutions further restricts opportunities for women, as they have limited interaction with male students and instructors.⁸⁰ Additionally, cultural and societal biases persist in certain fields of study such as engineering, accounting, and chemistry, discouraging women from pursuing careers in these areas.⁸¹ A report by Mehran News Agency revealed that women were prohibited from pursuing more than 77 majors, including accounting, educational sciences, guidance and counseling, and restoration of historical buildings, in 36 universities across Iran.⁸² Furthermore, women attending school are subjected to strict dress codes and behavioural standards, impeding their freedom and constraining

⁷⁴ Ibid.

⁷⁵ National Report on Women's Status in the Islamic Republic of Iran (Beijing + 25), P 4. <[https://asiapacificgender.org/sites/default/files/documents/Iran%20\(Islamic%20Republic%20Of\)%20\(English\).pdf](https://asiapacificgender.org/sites/default/files/documents/Iran%20(Islamic%20Republic%20Of)%20(English).pdf)> accessed 12 July 2023.

⁷⁶ Ibid, 5.

⁷⁷ Ibid, 6.

⁷⁸ Ibid, 13-15.

⁷⁹ Ibid.

⁸⁰ Kiernan Christ, 'Iran's Educational System and the Institutionalization of Gender Inequality' (*Georgetown Journal of International Affairs*, 4 April 2022) <<https://gija.georgetown.edu/2022/04/04/irans-educational-system-and-the-institutionalization-of-gender-inequality/>> accessed 13 July 2023.

⁸¹ Ibid; OIAC, 'Taking a Glance at Women's Education in Iran' (*OIAC*, 26 August 2019) <<https://oiac.org/taking-a-glance-at-womens-education-in-iran/>> accessed 13 July 2023.

⁸² 'حذف پذیرش دختران از 77 رشته 36 دانشگاه / مهندسی رکورددار حذف' | *Mehr News Agency*, 6 August 2012) <<https://www.mehrnews.com/news/1666033/-از-دختران-از-77-رشته-36-دانشگاه-مهندسی-رکورددار-حذف>> accessed 13 July 2023.

their full participation in educational activities.⁸³ Another concerning aspect is the maturity age for girls in Iranian law, which is set at nine years old.⁸⁴ This legal discrimination perpetuates early marriage among girls, resulting in their premature departure from education.⁸⁵

The endorsement of gender-based quotas for women in education by religious leaders in Iran is a widely anticipated stance. Therefore, President Rouhani's endeavour to reverse these measures faced significant resistance.⁸⁶ A notable voice in this debate is Grand Ayatollah Jafar Sobhani, who expresses the perspective that 'it is not necessary for all women to attend the university because this will cause expectations in the employment field as well'.⁸⁷ Such an opinion reflects the concerns and considerations of religious leaders regarding the role of women in society and the potential impact of expanded educational opportunities on employment dynamics. This discourse exemplifies the divergent perspectives within Iranian society regarding the extent and nature of women's participation in higher education. It highlights the complex interplay between religious and societal values, educational policies, and gender roles. Understanding and addressing these multifaceted viewpoints are essential in fostering inclusive and equitable educational opportunities for women in Iran.

c. Pakistan

Despite the legal and policy framework, women in Pakistan still face significant challenges in accessing education. Gender disparities remain particularly pronounced in rural areas, where poverty, cultural attitudes, and lack of infrastructure contribute to low enrolment rates for girls.⁸⁸ Pakistan exhibits significant gender disparity in educational enrolment rates. According to the Pakistan Social and Living Standards Measurement Survey (PSLM) 2019 – 20, the net enrolment rate for girls at the primary level was 50 per cent compared to 75 per cent for boys, highlighting the gender gap in educational opportunities.⁸⁹ Around 12 million girls remain out of school in Pakistan, not only in rural areas but in metropolitan such as Lahor, the eradication of the gap will take up to 50 years, provided that appropriate measures are taken.⁹⁰ Moreover, incidents of gender-based violence and harassment

⁸³ Christ (n 80).

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ OIAC (n 81).

⁸⁷ Ibid.

⁸⁸ Juan D. Barón and May Bend, 'Facing the Challenges of Girls' Education in Pakistan' (5 March 2023) <<https://blogs.worldbank.org/education/facing-challenges-girls-education-pakistan>> accessed 13 July 2023.

⁸⁹ Pakistan Social and Living Standards Measurement Survey (PSLM) 2019 -20, P 17 <https://www.pbs.gov.pk/sites/default/files//pslm/publications/pslm2018-19/pslm_report_2018-19_national_provincial.pdf> accessed 13 July 2023.

⁹⁰ 'Why Is Pakistan Facing a Crisis in Girls' Education?' (*Theirworld*, 12 April 2023) <<https://theirworld.org/news/pakistan-girls-education-crisis-gender-equality-priority-in-schools/>> accessed 13 July 2023.

against female students, teachers, and staff at educational institutions are not uncommon in Pakistan.⁹¹

Entrenched patriarchal norms and conservative traditions in Pakistan often restrict women's freedom to pursue education. Societal expectations and gender roles assign women primarily to domestic responsibilities, limiting their mobility and hindering their access to educational institutions.⁹² The lack of girls' schools, inadequate facilities, and long distances to travel pose challenges that deter families from sending their daughters to school. Poverty remains a significant hurdle for girls seeking education in Pakistan.⁹³ Families facing economic constraints often prioritize the education of male children, perceiving it as a more valuable investment. At the same time, girls are expected to contribute to household chores or be married off at an early age.⁹⁴ Forced early marriages and child labour contribute to the high dropout rates among girls.⁹⁵ Traditional practices, combined with economic pressures, compel families to withdraw their daughters from school, perpetuating a cycle of limited education and reinforcing gender inequalities.⁹⁶ A report by Malala Fund indicated that 24% of girls cited the reason for not returning to school after COVID -19 the inability to bear the school fee, while 22% mentioned their parents would not allow it.⁹⁷ These factors pose significant barriers to women's education, limiting their opportunities and undermining the potential benefits of improved access to education.⁹⁸

⁹¹ Ibid.

⁹² Barón et al (n 88).

⁹³ Elin Martínez and Human Rights Watch (Organization) (eds), *'Shall I Feed My Daughter, or Educate Her?': Barriers to Girls' Education in Pakistan* (Human Rights Watch 2018).

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid

⁹⁷ Girls Education and COVID – 19, P 18

<https://assets.ctfassets.net/0oan5gk9rgbh/5wDF37UbZwKlsWUrayUIRm/b80ea884265f74a12258146324c4ee2/0oan5gk9rgbh_5NYWB1DMSyo5a8VaQfOg7t_0386baa8673eecf0c4589be9f5c1be73_Pakistan_Report_16_MF.pdf> accessed 13 July 2023.

⁹⁸ 'Why Is Pakistan Facing a Crisis in Girls' Education?' (n 89).

IV. Solutions for Improving Women's Access to Education

The situations encountered by women in the aforementioned countries exhibit commonalities, yet each context presents distinct challenges that demand tailored strategies. In Afghanistan, a critical concern revolves around the Taliban's prohibition on girls' education. In response to this discriminatory measure, secret educational institutions have emerged wherein valiant educators jeopardise their lives to offer schooling to girls.⁹⁹ Such covert schools previously existed during the Taliban's previous regime from 1996 to 2001.¹⁰⁰ However, these schools possess limited outreach and remain scarce in number, rendering them incapable of fully replacing formal educational systems. Another potential approach involves leveraging online learning for Afghan girls, although this confronts obstacles due to the lack of widespread internet access and online educational resources throughout the country. Furthermore, the structural violence and discrimination faced by women in Afghanistan necessitate substantial systemic changes. The actions of the Taliban contradict both Sharia and international norms, potentially rendering them criminally accountable for gender-based persecution and apartheid under international law. Presently, the solution entails exerting pressure on the Taliban through the international community and Islamic nations, urging them to permit women and girls to attend schools and universities. Once this objective is accomplished, a gradual approach should be embraced to bridge the gender gap in educational accessibility. It is crucial to recognize that the ban on education not only deprives women of knowledge and opportunities but also perpetuates a cycle of gender-based discrimination and oppression. The denial of education reinforces societal norms and stereotypes that undermine women's agency, potential, and rightful place in society.

In Iran, there has been a significant improvement in women's access to education in recent years, as mentioned above. The literacy rate among women is nearly universal, and they comprise the majority (60%) of university students, demonstrating their academic prowess.¹⁰¹ However, the challenge in Iran lies in the presence of discriminatory laws and societal attitudes that impede women's pursuit of education in certain fields. Despite their competence and capability, Iranian women face unjustified barriers in entering fields like chemistry. Furthermore, while there is a high enrolment rate, it does not necessarily translate into equal opportunities in the labour market due to prevailing patriarchal

⁹⁹ Elaine Unterhalter, 'The History of Secret Education for Girls in Afghanistan – and Its Use as a Political Symbol' (*The Conversation*, 23 August 2022) <<http://theconversation.com/the-history-of-secret-education-for-girls-in-afghanistan-and-its-use-as-a-political-symbol-188622>> accessed 13 July 2023.

¹⁰⁰ *ibid.*

¹⁰¹ 'Educated, Yet Excluded: Why Access to Education for Iranian Women Is Not Enough' (*Brown Political Review*, 8 December 2016) <<https://brownpoliticalreview.org/2016/12/education-iranian-women/>> accessed 13 July 2023.

norms.¹⁰² Restrictive regulations, such as the requirement for women to obtain permission from a man to leave the country and workplace biases, contribute to the preference for less qualified male candidates over their female counterparts.¹⁰³ Thus, it is crucial for Iran to prioritise the removal of legal barriers, ensuring equal access to education for girls and women in all fields, mirroring the opportunities available to men. This example from Iran emphasises the significance of not only achieving educational access but also enabling women to participate in the labour market by eliminating obstacles such as restrictive quotas.

In response to challenges, Pakistan has implemented several measures to support and expand educational opportunities for girls. One strategy involves leveraging available data to design targeted programs for different categories of out-of-school children.¹⁰⁴ For example, younger children who have dropped out of primary school may benefit from interventions to reintegrate them into the education system, while older teenagers who left school years ago may require specialized literacy, numeracy, and life skills programs.¹⁰⁵ Furthermore, the expansion of schools has shown promising results, particularly in Punjab, through implementing public-private partnerships (PPPs) in primary education.¹⁰⁶ By extending the scope of PPPs to cover other educational levels and strengthening regulations, significant advantages can be achieved. Additionally, efforts to expand and improve the management of public schools in rural areas, exemplified by the Sindh Early Learning Enhancement through Classroom Transformation (SELECT) project in the Sindh Province, present a viable solution.¹⁰⁷ Enhancing transportation facilities for girls and female educators, as demonstrated in the initiatives undertaken in the Khyber Pakhtunkhwa (KP) Province, and ensuring the safety of students within school premises, such as the construction of boundary walls, are also important considerations.¹⁰⁸

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Barón et al (n 88).

¹⁰⁵ Ibid.

¹⁰⁶ 'Third Punjab Education Sector Project'

<<https://documents1.worldbank.org/curated/en/967701468198234577/pdf/PAD1641-PAD-P154524-R2016-0090-1-Box394887B-OJO-9.pdf>> accessed 13 July 2023.

¹⁰⁷ 'Pakistan: Early Learning Investments to Reach Vulnerable Communities in Sindh Province with World Bank Support' (*World Bank*) <<https://www.worldbank.org/en/news/press-release/2021/07/29/pakistan-early-learning-investments-to-reach-vulnerable-communities-in-sindh-province-with-world-bank-support>> accessed 13 July 2023.

¹⁰⁸ 'Education and Opportunity in Pakistan' (*World Bank*) <<https://www.worldbank.org/en/news/feature/2022/09/08/paving-the-way-to-education-and-opportunity-in-pakistan>> accessed 13 July 2023.

V. Conclusion

After reviewing the situations in three countries, it can be concluded that despite attempts to reduce educational disparities through legislation and policy adoption, achieving educational equality remains a distant goal. Afghanistan, for instance, has made significant progress over the past two decades; however, the Taliban's resurgence has plunged the country back into a period of darkness, especially for women and girls, as it is currently the only regime that prohibits education. The denial of education has severe consequences on the mental well-being of women, their future and negatively impacts their access to labour. As education not only imparts knowledge but also instils purpose, self-worth, and autonomy. The lack of access to education in long term has negative impact on overall prosperity of society and the economy at large. Therefore, it is of utmost importance for Afghans and International Community should strive to ensure that girls and women in Afghanistan have access to education. The Taliban must immediately lift the ban on education at all levels and the international community must prioritise advocacy for the right to education for Afghan women in their foreign policy, with no compromise on this fundamental rights of women.

In Iran, women have consistently demonstrated their competence and skills across various fields. However, the presence of embedded structural inequalities and the government's attitude hinder their full realization of the right to education. While Iran has made some progressive strides, further changes in attitude are necessary to ensure that women have complete access to education and can fully participate in the labour market. Pakistan requires investments in the education sector, efforts to address patriarchal behaviour, and the creation of enabling environments to enhance women's access to education. These measures are crucial in supporting autonomy, empowerment, and the future generation of women and girls.

It is necessary to highlight that better access to education for women in these countries holds immense importance for the overall prosperity and development of the region. Breaking down the barriers and ensuring equal access to education for women can have transformative effects. Educating women has a direct impact on their empowerment and participation in the workforce and they can play a crucial role in leading to a positive cycle of development for future generations. Furthermore, promoting education for women enhances gender equality and social inclusion. It challenges traditional gender roles and stereotypes, fostering an environment of equal opportunities for both men and women. Finally, educated women play a pivotal role as

influential agents of change within their communities, actively challenging extremist ideologies and advocating for peaceful resolutions to conflicts.

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