

DECLARATION OF CHILD RIGHTS-CENTRIC EDUCATION (2024) (DRAFT 2024.10.27)

Preamble

WHEREAS the 1989 United Nations Convention on the Rights of the Child (UNCRC) was the first legally binding treaty recognizing children as the subjects of their own rights, obliging member states to respect, protect and fulfill every child's civil, political, economic, social and cultural rights; and

OBSERVING that § 5 of the UNCRC obliges the state to respect the responsibilities, rights and duties of the family of a child (parents, the members of the extended family or community as provided for by local custom, and legal guardians) to provide appropriate direction and guidance in the exercise of the child's rights by the child; and

EMPHASIZING that the Universal Declaration of Human Rights' call (§ 26) to center Human Rights in education ("*education shall be directed... to the strengthening of respect for human rights and fundamental freedoms*") has been consistently reiterated in multiple instruments including, inter alia, The Convention Against Discrimination in Education (1960, §5), the International Covenant on Economic, Social and Cultural Rights (1966, §13), the 1989 Convention on the Rights of the Child (1989 §29), and the UN Declaration on Human Rights Education and Training (2011); and

BEARING IN MIND that the United Nations General Assembly, in the "First Phase of the World Programme for Human Rights Education", further reiterated this as "*it is essential to ensure that educational objectives, practices and the organization of the schools are consistent with human rights values and principles*"; and

RECALLING that General Comment 1 (2001) of the UNCRC on § 29 (1) "The Aims of Education"

- Recognized that education "*goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society*"; and
- Called for "*the fundamental reworking of curricula to include the various aims of education and the systematic revision of textbooks and other teaching materials and technologies, as well as school policies*" in recognition that "*approaches which do no more than seek to superimpose the aims and values of the article on the existing system without encouraging any deeper changes are clearly inadequate*"; and
- Emphasized that "*Efforts to promote the enjoyment of other rights must not be undermined, and should be reinforced, by the values imparted in the educational process. This includes not only the content of the curriculum but also the educational processes, the pedagogical methods and the environment within which education takes place, whether it be the home, school, or elsewhere*"; and

REASONING that

1. Presently mainstreamed practices of education evolved, and were mainstreamed, while children were considered property (of the state or parents); and
2. This was several decades, sometimes even centuries, prior to the recognition of children as the subjects of their own rights by the UNCRC in 1989; and
3. Therefore it is understandable that those mainstreamed practices of education do not explicitly center child rights; nevertheless
4. Child rights are inalienable, indivisible, and interdependent and there cannot be any justification for practices of education to violate them; and

REASONING FURTHER that,

5. While states have an obligation to compulsorily ensure access to at least primary education (UNCRC § 28) to all children without discrimination; and
6. They maintain 'schools' as the institution established explicitly for the provision of education in fulfillment of their role as a duty bearer; and
7. Therefore *"it is essential to ensure that educational objectives, practices and the organization of the 'schools' are consistent with human rights values and principles"*; nevertheless
8. The recognition that education encompasses a *"broad range of life experiences and learning processes"* taking place at *"the home, school, or elsewhere"* makes it imperative that the protection of human rights values and principles be extended to all environments (institutional and non-institutional) providing education for the child.

WE, THE UNDERSIGNED, amplifying the call for education to be directed to the strengthening of respect for human rights and fundamental freedoms, CALL FOR all duty bearers with the responsibility to respect, protect and fulfill children's rights to, in, and through education to

1. absolutely and without reservation recognize children as the subjects of their own inalienable and indivisible civil, political, economic, social and cultural Rights; and
2. define education of the child in broad terms as *“all life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society irrespective of whether they take place at home, school, or elsewhere”*; and
3. take progressive measures to fundamentally rework all practices of education to ensure they are consistent with human rights values and principles, especially the UN Convention on the Rights of the Child; and
4. ensure that this process of pulling education into alignment with human rights
 - a) prioritizes human rights, and especially child rights, whenever they are in conflict with mainstreamed educational practice, even if the practice has widespread social and/or systemic acceptance; and
 - b) includes taking progressive measures for the full implementation of all relevant instruments, including, inter alia, General Comment 1 (aims of education), General Comment 12 (right to be heard) and General Comment 13 (right to freedom from all forms of violence); and
 - c) be prioritised in schools and other institutions, both state and non-state, established explicitly for the provision of education for the child; and
 - d) includes also the non-institutional provision of education by the family of the child; and
 - e) be mainstreamed by the *“establishment of a Rights-Based Quality Assurance System for education in general”* as called for in the First Phase of the World Programme for Human Rights Education.