Chapter 27

Article 29: The Aims of Education

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1. States Parties agree that the education of the child shall be directed to:
 - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
 - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) The development of respect for the natural environment.

(continued)

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2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

What Did Children Say?

‘The Ministry of Education organises trainings for teachers, to educate them how to treat children. Teachers should have exams about that.’ (*Africa*)

‘In some schools, the discipline that students receive is biased against students of colour. For instance, some schools have higher rates of discipline actions and suspensions among Hispanic and Black students, compared to white students in the same schools. Government should do more to monitor the different discipline actions.’ (*Western Europe/Other*)

‘Every schoolbook has video and audio material (with) additional explanation of lectures and additional information.’ (*Africa*)

Overview

Recognition that education should be directed towards the full development of the personality and respect for human rights was first addressed in Article 26 (2) of the Universal Declaration of Human Rights, and strengthened in the International Covenant of Economic, Social and Cultural Rights through the provision, in Article 13, that education must also be directed to the sense of dignity and to enable all persons to participate in a free society. Article 29 affirms these aims and expands them, for both state and private schools, to require that education addresses respect for the child’s family, for tolerance and diversity, and for the natural environment. It is closely linked with Article 28, but whereas Article 28 focuses primarily on access to and provision of education, Article 29 is directed to the content and style of the education provided. In neither article does the Convention define education, but the Committee has made clear that it endorses an approach that understands education to go ‘beyond formal schooling to embrace the broad range of life experiences and learning which enables children ... to develop their personalities, talents and abilities and to live a full and satisfying life within society’ (2001, para. 2). The Committee also affirms that, although Article 29 does not remove the freedom of individuals or bodies to establish their own schools, in doing so they must comply with the article’s aims.

Article 29 elaborates an approach to education which promotes, supports, and protects the core values of the Convention, and requires that the provision of

education is grounded in the principles on which it is based. In other words, education must be ‘child-centred, child friendly and empowering’ (UN Committee on the Rights of the Child, 2001, para. 2). The drafters of the Convention recognised that the vision of education elaborated in Article 29 does have significant resource implications and it is therefore subject to progressive realisation. However, the Committee has emphasised that resources must be available to the maximum extent possible and cannot be a justification for failing to adopt any of the measures required (2001, para. 28). In this regard, it urges States Parties providing development cooperation to design programmes consistent with the implementation of Article 29 (2001, para. 28).

General Principles

Article 2 To comply with Article 2, all aspects of the education system and school provision must be free from all forms of discrimination. Thus, for example, the curriculum should be consistent with principles of gender, disability, and race equality. Teachers must demonstrate equal respect for all students and not discriminate in the treatment of different groups of children in schools. An active focus within the curriculum on respect for human rights should also give explicit attention to the importance of challenging all forms of discrimination, xenophobia, and prejudice.

Article 3 The best interests of the child demand educational services that are child friendly and child-centred such that each child can develop to their potential.

Article 6 The aims of education explicitly speak to the development of the child’s personality, talents, mental and physical abilities to their fullest potential.

Article 12 Children’s participation in school communities and school councils, peer education, peer counselling and disciplinary proceedings are integral to the process of learning about and experiencing the realisation of rights (UN Committee on the Rights of the Child, 2001, para. 8). In addition, children should be enabled to contribute to the development of education legislation and policy, the design of the curriculum, teaching methods, schools’ structures, standards, budgeting, and child protection systems (UN Committee on the Rights of the Child, 2001, paras. 105–114). Their participation in all these aspects of education will contribute towards the overall aims of education as elaborated in Article 29.

Articles Related or Linked to Article 29

Article 5 requires that children’s evolving capacities are reflected in the nature of the education that they receive

Article 18 recognises that both parents have common responsibilities for the upbringing and development of the child and that the state cannot interfere with the liberty of parents to choose the education they wish for their child, as long as it complies with the principles outlined in paragraph 1 of Article 29

Article 13 provides children with the right to freedom of expression in education, and to seek, receive, and impart information through a variety of media

Article 14 allows the child freedom of thought and conscience in education settings, and to manifest their beliefs or religion. Children cannot be compelled to follow any particular religion in an educational setting

Article 17 encourages the provision of sources of information to children through appropriate mass media dissemination, international cooperation in production of educational materials and children's books, and the development of guidelines to protect children from potentially injurious information

Article 23 requires the provision of quality education to children living with disabilities

Article 24 obligates educational settings to provide health information

Article 28 requires children to have access to schools that are child friendly, safe, and respect the child's dignity

Article 30 provides linguistic and cultural rights to children belonging to minority groups, that should be respected in schools

Article 31 protects the child's right to rest, leisure, play, recreation activities, and to participate in artistic and cultural life, all of which must inform educational services, hours of study, and rest and play times during the school day

Article 40 protects the right to education of children detained as a measure of criminal justice enforcement

Article 42 obligates States Parties to take active measures to ensure children and adults are educated about the principles and provisions of the Convention.

Relevant Instruments

International Covenant on Economic, Social and Cultural Rights (1966), Article 13

International Covenant on Civil and Political Rights (1966), Article 2

International Convention on the Elimination of All Forms of Racial Discrimination (1966), Articles 2 and 7

UN Convention on the Elimination of All Forms of Discrimination against Women (1979), Article 10

UN Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984), Article 2

UN Convention on the Rights of Persons with Disabilities (2006), Article 24

UN Convention Against Discrimination in Education (1960)

UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974)

UN Convention on Technical and Vocational Education (1989)

UNESCO Declaration of Principles on Tolerance (1995)

UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

Attributes

Attribute One: Ensuring that Aims and Objectives of Education Are in Conformity with the Convention

Article 29, paragraph 1(a) establishes that the overarching objective of education is the fullest possible development of the child's personality, talents, and physical and mental abilities. In its entirety, Article 29 provides for a framework of education for the realisation of the child's human dignity and rights. This requires a curriculum far broader than the traditional focus on literacy and numeracy, and necessitates teaching on developing respect for human rights, for the child's parents, and for cultural identity as for well as the values of the country in which the child is living, for life in a free society, and for the natural environment. To realise this goal, it is imperative that the principles in Article 29 inform all aspects of education, and that they are explicitly addressed in all States Parties' education laws, policies, and programmes (UN Committee on the Rights of the Child, 2001, para. 17).

The Committee has urged cooperation among internal bodies concerned with education and human rights, and has called on States Parties to develop comprehensive national plans of action to promote and monitor implementation of the Article 29 objectives (2001, para. 23). In order to strengthen accountability, the Committee recommends that States Parties establish review procedures to allow for complaints or practices that are in breach of or inconsistent with Article 29 (2001, para. 25). National level monitoring is also strongly recommended to ensure that children, teachers, and parents have input into decisions relevant to education (UN Committee on the Rights of the Child, 2001, para. 22). Where an educational institution is established privately, it must comply with the aims of education as elaborated in Article 29, as well as with the Convention as a whole. The state must provide minimum standards for such schools and create systems for monitoring compliance.¹

¹ See, for example, concluding observations for Senegal (2016a, para. 38 (b)) and Guinea (2013a, para. 73 (e)).

Attribute Two: Rights-Consistent Curricula

The aims elaborated in Article 29 have significant implications for the curriculum delivered in schools. In respect of the formal curriculum, the Committee has stressed that it requires ensuring that school curricula, textbooks, and other teaching materials address the full scope of the aims elaborated in Article 29 (2001, para. 18), and at all levels of the education system.² The curriculum needs to go beyond the basic areas of knowledge such as literacy, numeracy, and science, to provide a ‘holistic approach to education that ensures that the educational opportunities made available reflect an appropriate balance between promoting the physical, mental, spiritual and emotional aspects of education, the intellectual, social and practical dimensions and the childhood and lifelong aspects’ (UN Committee on the Rights of the Child, 2001, para. 12). The skills needed include critical thinking and decision-making, social relationships, citizenship, and healthy lifestyles (UN Committee on the Rights of the Child, 2001, para. 9). The Committee also has underscored the importance of curricula relevant to the child’s daily life and context. The Committee has called for peace and conflict-resolution education for children and, in light of climate change, for education that empowers children to become agents of change and defenders of the environment.³ The curricula should include the life skills needed for ‘responsible life in a free society’ (Verheyde, 2005, pp. 26–28).

The Committee has consistently called for human rights education in schools and expressed concern over its absence from the curriculum. Moreover, where it is provided, it often fails to include a specific focus on the rights of the child (Jerome et al., 2015). The Committee recommends non-formal educational tools such as outdoor activities and field trips, as well as direct involvement of children in environmental protection, as a crucial component of their learning process and an exercise in social practices that constitute civic participation (2016c). The Committee also places considerable emphasis on the importance of health education (2003a, para. 17), and in line with the child’s evolving capacities and development, the school curriculum should provide children with age-appropriate, comprehensive, and inclusive sexual and reproductive health education, including gender equality, sexual diversity, sexual and reproductive rights, responsible parenthood and sexual behaviour, and violence prevention (2016d, para. 61). It should also address tobacco, alcohol, and drug use, and diet (UN Committee on the Rights of the Child, 2003b).

²See, for example, concluding observations for Canada (2012a, para. 24), Antigua and Barbuda (2017a, para. 17 (b)), Congo (2014, para. 23), and Benin (2016b, para. 21).

³See *Day of General Discussion: Children’s Rights and the Environment* (UN Committee on the Rights of the Child, 2016c). Particular concerns were expressed about children’s exposure to environmental toxins, the impact of climate change, and the loss of biodiversity.

Participation of children in curriculum development is identified by the Committee as a strategy to achieve relevance,⁴ to increase children's engagement in learning (2006a, para. 22), and to ensure respect for the principles of the Convention (2001).

Attribute Three: Rights-Respecting Pedagogy

Article 29 challenges educators to restructure education from a child rights perspective (UN Committee on the Rights of the Child, 2001), recognising that traditional teaching styles may stifle individuality and promote conformity, and result in education lacking a global and human rights perspective (UN Secretary General, 1978).⁵ The Committee has emphasised that pedagogy focused on knowledge accumulation and competition can compromise the development of children's abilities (2001). It has criticised States Parties for priority given to rote-learning (2003c, para. 46), the competitive nature of schooling (2004, para. 49, 2006b, para. 63), and for the lack of human rights education in schools (2012a, paras. 24–25, 2014, para. 23, 2016b, para. 21, 2017b, para. 37).

Consistency with the aims of education and the principles of the Convention therefore requires a participatory pedagogy through which children learn about human rights through experiencing them in practice. Education must be designed to enable children to participate actively in their own learning (UN Committee on the Rights of the Child, 2001, para. 12). Achieving such education requires training for both pre-service and in-service teachers, to equip them with competency in participatory methodologies, as well as the provisions and principles of the Convention (UN Committee on the Rights of the Child, 2006d, para. 24; Verheyde, 2005, p. 28). The lack of appropriate teacher training and child rights awareness among educators continue to be of serious concern and criticism in assessments of States Parties' reports.⁶ Meaningful implementation can only be achieved with supportive school management, awareness raising and participation of communities and parents, and the necessary materials and infrastructure.

⁴See, for example, concluding observations to Costa Rica (2000, para. 24) and Italy (1995, para. 21).

⁵See, in particular, the comments expressed by UNESCO, Norway, and Greece.

⁶Recent examples include concluding observations to Antigua and Barbuda (2017a, para. 17), Benin (2016b, para. 21), Canada (2012a, para. 27), Congo (2014, para. 23), Haiti (2016e, para. 17 (b)), and Zimbabwe (2016f, para. 22 (b)).

Attribute Four: Rights-Reflecting School Environment

Children learn much from the environment in which their education takes place. The school environment, which includes all policies and practices including the behaviour of school staff and administrators, must be infused with and reflect the values of the Convention—respect for rights, peace, tolerance, understanding, and equality—and allow children to exercise rights such as the right to participation under Article 12 (Office of the United Nations High Commissioner for Human Rights and Rättsbarnen (Society: Sweden), 2007). A rights-respecting school environment will promote and teach the values and behaviours associated with human rights by allowing children to experience them (UN Committee on the Rights of the Child, 2001).

The Committee has identified bullying in schools to be a serious impediment to an appropriate school environment.⁷ States Parties have been urged to adopt programmes and activities that create a culture in schools which rejects bullying behaviours and all forms of discrimination.⁸

To promote the exercise of rights and citizenship, it is important that schools have policies and practices that systematically provide for children's participation in non-discriminatory ways. Children should be represented by peers on all committees including disciplinary proceedings, and be provided opportunities for participation in student councils, peer education, and peer counselling (UN Committee on the Rights of the Child, 2006a, para. 20). Data should be collected to enable monitoring and evaluation of how human rights values are reflected in the daily experiences of children and how children are empowered to defend their rights when these are not respected.

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⁷ See, for example, concerns about high rates of bullying in schools in Hong Kong (2013b, para. 77), Iceland (2012b, para. 46 (b)), and Sweden (2015, para. 31).

⁸ See, for example, concluding observations to Canada (2012a), and to Lithuania (2006c, para. 27).

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