**Mandate of the Special Rapporteur on the right to education**

**Call for CONTRIBUTIONS:**

**THE RIGHT TO EDUCATION, ADVANCES AND CHALLENGES**

1. **Assessing the achievements made by the mandate of the Special Rapporteur on the right to education over the last 25 years**
	* + 1. In your country, are education issues approached through the lens of the human right to education, and if so, with what challenges and results? In your view, what is the added value of such an approach in your work?

**Implementing the right to education and its principles is linked with engaging culture to ensure equal access to an education of good quality, on a non-discrimination basis, and equality of opportunities and chances to thrive.** Grounded on a human rights-based approach, UNESCO’s Culture programmes uphold the right of everyone to access, participate in and enjoy culture, including cultural heritage and cultural expressions. Safeguarding heritage, strengthening the cultural and creative industries, and encouraging cultural pluralism, are all cultural mandates driven by a human-centred approach to development based on mutual respect and open dialogue among cultures. The right to education – through formal to non-formal, informal and lifelong learning – is an important component for realizing these objectives.

**While the mutually-beneficial links between culture and education have long been recognized in a range of decisions and instruments, it is not without challenges.** Over time, the two areas have become separated and at times conflicted thereby hindering their potential to generate meaningful and transformative change. Learners may lack access to arts and cultural education due to geographic, gender or social barriers, affecting their access to skills and knowledge acquisition, digital technologies, or they may remain at the margins of formal education systems that don’t take into consideration cultural diversity. In some countries, culture and arts education isn’t considered a priority in education systems or societies at large, or it can be seen as a luxury addition to education and may not be able to be accessed by persons of low economic status. Education systems often don’t give due consideration to the important role they can play in strengthening culture, such as heritage safeguarding processes, nor are they harnessing its potential to improve education quality and relevance. While some progress has been achieved through projects, it tends to be sporadic and may not be maintained due to issues of funding and political will. In crisis situations culture and the arts are not usually prioritized, and quite often even neglected. In the cultural and creative industries, education and training are fundamental for each stage of the value chain: creation, production, distribution/dissemination, and access, and professional training remain indispensable to professionalize the CCIs, particularly in developing countries. Moreover, at the outset the precarious nature of artist employment and reduced access to training can also be a deterrent to pursuing cultural practice. Education in terms of audience development is also important so that there is a public that requests and appreciates arts and culture.

**The international community has become more cognizant of the need for integrated responses to addressing increasingly interconnected and interdependent issues.** As the 2021 report [Reimagining our futures together: a new social contract for education](https://unesdoc.unesco.org/ark%3A/48223/pf0000379707) by the International Commission on the Futures of Education states, education operates in siloes and has come to be structured in narrow, limiting and homogenized ways. It calls for education to be enriched by a greater diversity of cultural experiences and ways of knowing and being, affirming that “a new social contract must be grounded in human rights and based on principles of non-discrimination, social justice, respect for life, human dignity and cultural diversity.” calls for a new social contract in education, calls for valuing of different cultures and epistemologies, different ways of living and seeing the world in order to build a pedagogy of solidarity. It also asserts that “Knowledge and study of human society and culture are essential to helping students to learn a wide range of approaches to the problems that face them.” Furthermore, the work of the Global Citizenship Education Team, in particular, aims to expand knowledge on how local knowledge systems contribute to adapted pedagogies, for example, Global Citizenship Education: taking it local.[[1]](#footnote-2)

 In the same year, the report [Right to Education: the cultural dimensions of the right to education, or the right to education as a cultural right](https://www.right-to-education.org/resource/report-un-special-rapporteur-right-education-cultural-dimensions-right-education) by the former UN Special Rapporteur on the right to education, also highlights how culture contributes to the realization of universal right to inclusive and quality education.Culturally-embedded education also enhances, in a cross-cutting manner, the achievement of the Sustainable Development Goals (SDGs), particularly SDG 4 on quality education, SDG 5 on gender equality, SDG 8 on enhancing opportunities for decent work and employment through culture and creativity, and conflict mitigation and peace-building, in the spirit of SDG 16. Culture’s contribution to education is notably inscribed within the implementation of SDG 4.7 for the promotion of cultural diversity and culture’s contribution to sustainable development.[[2]](#footnote-3)

**In recent years, UNESCO Member States have called on leveraging UNESCO’s multidisciplinary and multisectoral mandate, particularly in the field of culture and education, to support more integrated actions.** Closer synergies and cooperation between the fields of culture and education, two pillars of UNESCO’s mandate, have been pursued as a means of addressing today’s interconnected challenges and enabling learners to adapt to fast-evolving contexts, opportunities and challenges. **Notably, UNESCO Member States requested in April 2021 the development of a new Framework for Culture and Arts Education** to take into consideration a broadened understanding of culture, and emerging challenges and opportunities, including those of the digital transformation. The process prioritizes a holistic point of departure that encompasses the different forms of cultural and artistic education (formal, non-formal and informal learning), as well as their contribution to economic, social and environmental development. In increasingly culturally-diverse societies, having the intercultural competences and knowledge of different cultures also nurtures tolerance and respect, and thus lays the ground for conflict prevention. This can help young people become more aware of the processes and conditions that may lead societies to violence. UNESCO assists countries in delivering culture and education programmes that help build learners' resilience to violent extremism and mitigate the drivers of the phenomena. Based on a global questionnaire on culture and arts education distributed to all Member States in 2022, a key evolution in culture and arts education over the past decade has been the increased awareness of cultural diversity of societies, prompted by migration and digital technologies and media. This has also placed higher demands on the ability of people to live with and appreciate the values inherent in cultural diversity.

**UNESCO is also engaged in updating its 1974** [**Recommendation concerning education for international understanding, co-operation and peace and education relating to human rights and fundamental freedoms**](http://portal.unesco.org/en/ev.php-URL_ID%3D13088%26URL_DO%3DDO_TOPIC%26URL_SECTION%3D201.html)**is considered a landmark legal instrument that brings together for the first time peace, international understanding, human rights, fundamental freedoms and education.[[3]](#footnote-4)** Since 1974, new threats endanger peace and human survival. These include climate change, infectious diseases, pandemics and other challenges to health, the rapid spread of hateful and violent ideologies, unsustainable consumption and production patterns, systemic racism, lingering inequalities. The revision of the Recommendation constitutes a unique opportunity to revive and update the global consensus around the role of education - in all its forms - to prepare learners of all ages, and future generations, to face future shocks and shape more just, sustainable, healthy and peaceful futures.

* + - 1. How do you assess the 4 A’s framework of availability, accessibility, acceptability and adaptability as conditions for realizing the right to education? Is such a framework integrated in legal and policy documents relating to education in your country, as well as used in practice? If not, what are the key obstacles? Should the framework be reviewed to include other dimensions? If so, which?

**The outcome documents of two World Conferences on Arts Education in 2006 and 2010**, the [Road Map for Arts Education](https://unesdoc.unesco.org/ark%3A/48223/pf0000384200) and the [Seoul Agenda: Goals for the Development of Arts education](https://unesdoc.unesco.org/ark%3A/48223/pf0000190692), respectively, reflect the principles of the 4-A scheme of the right to education. More specifically, the Seoul Agenda places particular emphasis on the availability of quality arts education, the accessibility of arts education to learners of all ages and groups and the adaptability of arts education to respond to the changes and challenges of society, including socio-economic aspects, social cohesion and intercultural dialogue, environment and peace. More recently, [the final Declaration of the UNESCO World Conference on Cultural Policies and Sustainable Development – MONDIACULT 2022](https://www.unesco.org/sites/default/files/medias/fichiers/2022/09/6.MONDIACULT_EN_DRAFT%20FINAL%20DECLARATION_FINAL_1.pdf), convened by UNESCO forty years after the first edition, emphasizes the importance of synergies between culture and education in improving learning outcomes and transmitting knowledge.

* + - 1. The human right to education entails States’ obligations to respect, protect and fulfil the right to education in international human rights law. To what extent are these obligations clearly identified in your country’s legislation and in practice?

**From a normative perspective, education is imbued in the provisions and operational guidelines of UNESCO’s key standard-setting instruments in the field of culture spanning heritage protection and creativity**,[[4]](#footnote-5) in the form of formal and non-formal pedagogies, as well as public awareness activities. As such, they form a legal basis committing Member States to implement these obligations in practice. Human rights principles have emerged more prominently in the provisions of UNESCO’s culture standard-setting instruments adopted over the past 25 years, notably the *Universal Declaration of Cultural Diversity* (2001), the *Convention for the Safeguarding of the Intangible Cultural Heritage* (2003), the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (2005). Underpinning this work is the conviction that cultural diversity is inseparable from respect for human dignity, which implies a commitment to human rights and fundamental freedoms that can neither be infringed upon nor limited in scope, in line with a human rights-based approach guaranteed by international law.

**The obligations are implemented in practice, for example, to better engage local knowledge bearers in education and to expand living heritage knowledge systems in education, thus strengthening links between intangible cultural heritage (ICH) and the understanding of people and society**. In this regard, a new global initiative [Safeguarding intangible cultural heritage in formal and non-formal education](https://ich.unesco.org/en/education-01017) was launched by UNESCO in 2017. The programme encompasses a wide range of learning, including global citizenship and peace education, education for sustainable development, technical and vocational education and training (TVET), and teacher development.

**Furthermore UNESCO promotes and defends the right to mother language education.[[5]](#footnote-6)**UNESCO regularly publishes guidance for teachers and policy-makers to support the use of mother language education for the estimated 40% of the world’s population who cannot access education in a language they speak or understand. Through the World Altas of Languages[[6]](#footnote-7), UNESCO monitors the status of the estimated 8300+ languages spoken around the world, many of which are Indigenous languages. Education is a key driver for ensuring that these languages are preserved, safeguarding cultural diversity and knowledge systems. The International Decade of Indigenous Languages 2022-2023, spearheaded by UNESCO, is also a major opportunity to highlight the importance of the right to mother tongue education.

* + - 1. Has the right to free education been progressively implemented at all levels of education in your country, based in particular on article 26 of the Universal Declaration of Human Rights, articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights, and article 28 of the Convention on the Rights of the Child? If yes, please provide examples. If not, please explain why not.

N/A

* + - 1. Is the right to education considered a justiciable right in your country and if so which aspects of that right? If so, please provide a short summary of emblematic cases.

N/A

* + - 1. To what extent are the non-discrimination and equality principles respected in implementing the right to education in your country? Have past recommendations made by the Special Rapporteur on the right to education of vulnerable and marginalized populations been taken into account? If so, can you list which ones?

UNESCO encourages its Member States to adopt policies that respect non-discrimination and equality principles. Such principles are articulated in the provisions of its normative instruments in the field of culture adopted in the past 25 years in relation to the education of vulnerable and marginalized groups, for example:

**UNESCO Universal Declaration on Cultural Diversity (2001):**

*All persons have therefore the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons are entitled to quality education and training that fully respect their cultural identity; and all persons have the right to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.*

 (Art. 5)

*6. Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the earliest age.*

*7. Promoting through education an awareness of the positive value of cultural diversity and improving to this end both curriculum design and teacher education.*

*8. Incorporating, where appropriate, traditional pedagogies into the education process with a view to preserving and making full use of culturally appropriate methods of communication and transmission of knowledge.*

*9. Encouraging "digital literacy" and ensuring greater mastery of the new information and communication technologies, which should be seen both as educational disciplines and as pedagogical tools capable of enhancing the effectiveness of educational services.*

*10. Promoting linguistic diversity in cyberspace and encouraging universal access through the global network to all information in the public domain.*

*11. Countering the digital divide, in close cooperation in relevant United Nations system organizations, by fostering access by the developing countries to the new technologies, by helping them to master information technologies and by facilitating the digital dissemination of endogenous cultural products and access by those countries to the educational, cultural and scientific digital resources available worldwide.*(Main lines of an action plan for the implementation of the UNESCO Universal Declaration on Cultural Diversity)

**Convention for the Safeguarding of the Intangible Cultural Heritage (2003):**

*For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development*. (Art.2)

*3. “Safeguarding” means measures aimed at ensuring the viability of the intangible cultural heritage, including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of such heritage.* (Art.2)

*To ensure the safeguarding, development and promotion of the intangible cultural heritage present in its territory, each State Party shall endeavour to:*

*(i) fostering the creation or strengthening of institutions for training in the management of the intangible cultural heritage and the transmission of such heritage through forums and spaces intended for the performance or expression thereof;* (Art. 13)

*Each State Party shall endeavour, by all appropriate means, to:
(a) ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society, in particular through:
(i) educational, awareness-raising and information programmes, aimed at the general public, in particular young people;
(ii) specific educational and training programmes within the communities and groups concerned;
(iii) capacity-building activities for the safeguarding of the intangible cultural heritage, in particular management and scientific research; and
(iv)non-formal means of transmitting knowledge;
(b) keep the public informed of the dangers threatening such heritage, and of the activities carried out in pursuance of this Convention;
(c) promote education for the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage.* (Art. 14)

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

*Principle of equal dignity of and respect for all cultures. The protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples*. (Principle 3)

*Recalling that linguistic diversity is a fundamental element of cultural diversity, and reaffirming the fundamental role that education plays in the protection and promotion of cultural expressions* (Preamble)

*Parties shall endeavour to create in their territory an environment which encourages individuals and social groups:
(a) to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the special circumstances and needs of women as well as various social groups, including persons belonging to minorities and indigenous peoples;* (Art. 7)

*Parties shall:
(a) encourage and promote understanding of the importance of the protection and promotion of the diversity of cultural expressions, inter alia, through educational and greater public awareness programmes;
(b) cooperate with other Parties and international and regional organizations in achieving the purpose of this article;
(c) endeavour to encourage creativity and strengthen production capacities by setting up educational, training and exchange programmes in the field of cultural industries. These measures should be implemented in a manner which does not have a negative impact on traditional forms of production.* (Art. 10)

*Parties shall endeavour to support cooperation for sustainable development and poverty reduction, especially in relation to the specific needs of developing countries, in order to foster the emergence of a dynamic cultural sector by, inter alia, the following means:*

*(b) capacity-building through the exchange of information, experience and expertise, as well as the training of human resources in developing countries, in the public and private sector relating to, inter alia, strategic and management capacities, policy development and implementation, promotion and distribution of cultural expressions, small-, medium- and micro-enterprise development, the use of technology, and skills development and transfer;*

*(c) technology transfer through the introduction of appropriate incentive measures for the transfer of technology and know-how, especially in the areas of cultural industries and enterprises;*(Art.14)

62. The second condition is for educational institutions and programmes to be accessible without discrimination. The factors that lead to discrimination (distance, language, gender, social status, poverty and others) must be taken into account, and discrimination must be countered by turning grounds for discrimination into advantages: to make it an advantage to be a girl, to live in the countryside or to know another language, including sign language.

Please see the paragraph related to challenges in Q.1.

* + - 1. In countries where the Special Rapporteur has undertaken visits[[7]](#footnote-8), have recommendations been implemented? If so, please list recommendations acted upon.

N/A

* + - 1. In countries to which the Special Rapporteur has sent communications (allegation letters, urgent appeals and other letters)[[8]](#footnote-9), have measures been adopted to address the issues raised and ensure their non-recurrence? Please provide specifics.

N/A

1. **Main challenges and crucial issues for the future**
2. In your view, what are the main challenges in your country in implementing the right to education?

N/A

1. What are the crucial issues to address, nationally as well as internationally, to ensure the realization of the right to education?

**Main issues: cooperation, access, integration of culture in education systems, teacher training, professionalization, digital transformation, and research and data.**

1. strengthen cooperation between ministries, notably cultural and education ministries, and expand the scope of actors and institutions involved in implementing education
2. enhance access to culture and arts education as an integral part to the right to education and the right to culture
3. integrate cultural and creative processes to strengthen context and content-relevant learning and therefore quality education
4. address capacity gaps in arts teaching and professional development
5. ensure culture and arts education that builds skills for employment
6. address the challenges and opportunities of digital expansion, including ensuring access to resources, supporting education outcomes, and enhancing creative play and experimentation
7. develop evidence-based research and data in culture and arts education

You are invited to provide information only on the questions relevant to your work.

1. https://unesdoc.unesco.org/ark:/48223/pf0000265456?posInSet=1&queryId=c234bedc-fe07-412f-8a6e-d16b124bc709 [↑](#footnote-ref-2)
2. SDG target 4.7 : By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development. [↑](#footnote-ref-3)
3. https://www.unesco.org/en/education/1974recommendation#:~:text=The%201974%20Recommendation%20calls%20on,Human%20Rights%20(Article%2026). [↑](#footnote-ref-4)
4. *The Convention for the Protection of Cultural Property in the Event of Armed Conflict* (1954), the *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* (1970), the *Convention Concerning the Protection of the World Cultural and Natural Heritage* (1972)*,* the *Convention on the Protection of the Underwater Cultural Heritage* (2001), the *Convention for the Safeguarding of the Intangible Cultural Heritage* (2003), and the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (2005). Following the adoption of the UNESCO 2005 Convention, new impetus was given to the *Recommendation on the Status of the Artist* (1980) to protect and promote artistic freedom. See also: the *Recommendation concerning the Protection and Promotion of Museums and Collections, their Diversity and their Role in Society* (2015). [↑](#footnote-ref-5)
5. <https://www.unesco.org/en/languages-education> [↑](#footnote-ref-6)
6. https://www.unesco.org/en/articles/unesco-launches-world-atlas-languages-celebrate-and-protect-linguistic-diversity [↑](#footnote-ref-7)
7. Algeria, Bhutan, Bosnia and Herzegovina, Botswana, Chile, China, Colombia, Ecuador, Fiji, Germany, Guatemala, Indonesia, Ivory Coast, Kazakhstan, Malaysia, Mexico, Mongolia, Morocco, Paraguay, Senegal, Seychelles, Tunisia, Türkiye, Uganda, United Kingdom and Northern Ireland, United States, Qatar. [OHCHR | Country visits](https://www.ohchr.org/en/special-procedures/sr-education/country-visits) [↑](#footnote-ref-8)
8. [Communication search (ohchr.org)](https://spcommreports.ohchr.org/Tmsearch/TMDocuments) [↑](#footnote-ref-9)