

A for Aims and E for Education

In a Nutshell: General Comment No. 1 of the Committee on the Rights of the Child

This summary for development practitioners provides:

- information on the →topic of General Comment No. 1 and its legal foundation;
- an overview of the →Committee's key recommendations addressed to States parties;
- →key contents of General Comment No. 1;
- →recommendations for development practitioners on how to use this General Comment;
- an excerpt of the →relevant article of the CRC and an overview of →State party obligations.

What is this General Comment about?

In its →General Comment No. 1 of 17 April 2001, the →UN Committee on the Rights of the Child (short: Committee) stresses the importance of access to education for everyone without discrimination and of the quality of education (articles 28 and 29 (1) of the →Convention on the Rights of the Child, short: CRC or Convention). The Convention requires that States parties pursue the following aims in setting up their educational system: the holistic development of the full potential of the child, including the development of respect for human rights, an enhanced sense of affiliation and belonging, and socialisation and interaction with others and with the environment. In this way, education should go beyond knowledge; it should empower the child to enjoy the full range of human rights and promote a human rights culture that enables everyone to live a full and satisfying life within society. The Committee also explains what it means to translate these broad aims into practice in a school environment, and how education in line with these aims can promote children's rights and dignity and beyond that, a culture of human rights.

General Comment No. 1 relates in particular to article 29 (1) of the Convention. While article 28 recognises the right of the child to education and obliges States

parties to take progressive steps towards the realisation of this right, article 29 (1) spells out the aims of education, emphasising the right to quality education.

How can States parties implement the Convention?

The Committee's **key recommendations** in this General Comment:

- **Develop a comprehensive plan of action** to promote and monitor the implementation of article 29 (1). If part of a larger plan – for example for children or human rights education in general – all issues of article 29 (1) must still be addressed from a child's perspective.
- **Develop tools to assess progress in the implementation** of article 29 (1), such as surveys, based on the consideration of the views of all actors involved in education, including children currently in and out of school, teachers, youth leaders, parents, as well as educational administrators and supervisors.
- **Establish a review procedure that responds to complaints** about existing policies or practices which are not consistent with article 29 (1). This procedure may be entrusted to existing administrative bodies or National Human Rights Institutions (NHRI).
- **Make education programmes**, promoting the values reflected in article 29 (1), part of the standard response to any pattern of human rights violations. Conduct research on teaching methods that have a positive impact on the implementation of Convention rights, and adopt such techniques.
- **Promote the participation of children in school life**, including disciplinary proceedings, as part of the process of learning and experiencing the realisation of rights.



Key contents of General Comment No. 1

Access to education for all is necessary in order to realise the right to education. But the quality of education is just as important. Article 29 (1) clarifies that education must promote the core values of the Convention: the human dignity innate in every child and his or her equal, inalienable human rights. Article 29 (1) therefore strengthens other Convention rights and obligations. First, it supports the Convention's general principles: non-discrimination, the best interests of the child, the child's right to life, survival and the development of the child, and the right to be heard (art. 2, 3, 6, and 12). Secondly, it complements other rights, such as the right to education (art. 28).

1. How does education promote the child's right to holistic development?

In line with the child's best interests and his or her right to child development (art. 3 and 6), education promotes the holistic development of each child's personality, talent, evolving abilities and capacities. Education provides a child with basic knowledge and skills. But the overall goal of education is to maximise the child's abilities and opportunities to participate fully and responsibly in society. It serves to empower the child to live a full and satisfying life within a peaceful and free society, while realising his or her human rights and sustaining the natural resources supporting our society.

In school, as well as within their families and communities, children should gain abilities such as resolving conflict in a non-violent manner, making balanced decisions, thinking critically and creatively, and leading a healthy lifestyle. A primary focus on knowledge in combination with an excessive work burden and competition can even negatively affect the development of the child's potential. Instead, education should be child-friendly and humane, inspiring and motivating.

Human rights education is also part of article 29 (1). Human rights education encompasses the knowledge of human rights and their application in practice, including in school. It is a life-long process.

2. How do children's human rights apply in school?

Children retain their human rights in school, including the freedom of expression, thought, and the right to information (art. 13, 14, and 17). School must be child-friendly in order to promote the child's development and his or her best interests (art. 3 and 6). To develop respect for human rights and to prepare the child for a life in a free society, schools should promote the child's active participation in shaping school life as a way to learn and experience the realisation of rights. Education must also promote non-violence; corporal punishment and bullying are incompatible with respect for the inherent dignity of the child.

The Convention is based on the understanding that each child has specific talents, abilities, interests, characteristics, and learning needs. In order to promote each child's best interests and development, education must therefore be tailored to the individual needs of different children. It also has to take into account their specific social, cultural, environmental, and economic context.

Discrimination (defined in art. 2) can seriously undermine a child's ability to benefit from education opportunities. For example, a curriculum promoting gender inequality reinforces gender discrimination, and unsafe or unfriendly school environments often deter girls from attending school. Discrimination on the basis of disability or HIV/AIDS status is also incompatible with an education aimed at the development of each child's full potential. By contrast, an education that promotes respect for differences and that challenges prejudice can help eliminate racism and xenophobia. Article 29 (1) therefore also safeguards the linguistic and cultural rights of minority children, as well as the rights of children with disabilities (art. 23 and 30).

Article 29 (1) also requires awareness for problems in the child's own community, including practices incompatible with human rights. Such challenges are best addressed in the spirit of human rights and dialogue, and by balancing respect both for one's own traditions and for those that live differently. Brought up in this way, children can play a unique role in bridging many of the differences that have historically separated groups of people from one another. Respect for diverse values should be developed wherever children learn, not just in school.



3. What should States do to implement article 29 (1)?

The general terms of article 29 (1) need to be incorporated into statutory law and/or administrative directives. States parties should systematically revise curricula, teaching materials, and school policies. They should also train teachers and administrators to exemplify these values when teaching. States parties should develop a comprehensive plan of action, which can be part of a larger plan – for example for children or for human rights education in general – as long as all the issues of article 29 (1) are addressed from a child's perspective.

The school environment itself must reflect the freedom and spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national, and religious groups and persons of indigenous origin. Bullying, violence, and exclusion are not compatible with article 29 (1), and must be prevented. States parties must fulfil their obligation to encourage the mass media to disseminate material and information that is beneficial to children (art. 17).

Improving the quality of education requires financial and human resources. Article 4 requires that States use the maximum resources available to implement Convention rights. Resource constraints are no justifi-

fication for a State party's failure to take measures that are required for the realisation of article 29. States parties should seek international cooperation to realise Convention rights worldwide; in their development cooperation, States parties should take full account of the obligations under article 29 (1).

4. How should States parties monitor and review the implementation?

States parties have to report on the measures taken to implement article 29 (1), and they should devise tools to measure whether they result in actual change. For such monitoring at the national level, surveys can be helpful; in accordance with the child's right to participate and be heard (art. 12), such mechanisms shall seek out the views of all actors involved in the education process, including children currently in or out of school, teachers, parents and educational administrators. Complaints procedures can highlight problems with the implementation of article 29 (1), protect the rights of the child, and guide responses; their existence and operation should be identified in each State's periodic report to the Committee. In their periodic reports, States parties should also detail their priorities for a more rigorous effort to implement article 29 (1), and outline the programme of activities designed to address them over the next five years.

⚙️ Approaches for bilateral development cooperation based on this General Comment

- Human rights-based development cooperation aims at promoting the respect, the protection and the fulfilment of human rights, including children's rights. Development cooperation can advise partner countries on how the child's right to education can be implemented and can use General Comment No. 1 as guidance. Development measures targeted at realising the child's right to education shall focus both on the **right to access to education** and the **right to quality of education**, which should be child-centred, child-friendly, and empowering. Development cooperation should contribute to the progressive realisation of articles 28 and 29 worldwide by financial and technical cooperation.
- Development cooperation should apply a **holistic approach to education**: education systems are strengthened; all actors in the education sector are involved; while the development of the child's personality is the central focus.
- Development measures can support decision-makers in other States parties in reforming their education systems with a focus on the quality of education. Policy advice on the revision and **development of educational laws and strategies** that include the aim of an education that is available, accessible, acceptable and adaptable can be integrated into development measures. The former Special Rapporteur on the right to education has recommended the development of a →set of suitable indicators for measuring national implementation of the right to education, based on this so-called "4 A framework."
- The **revision of the curricula** can be a basis for quality education. Development measures can provide expertise on how to design curricula which are child-centred, competence-based and thus relevant for children. This may include topics like human rights education, citizenship education or environmental education. The relevant **teaching materials and teaching methods** need to be revised or developed.
- Development measures should have an **inclusive approach** to education and should support special measures to **include children who have dropped out of school, are hard to reach** or are especially disadvantaged, like children with disabilities or children from ethnic minorities. Education strategies and policies, the curricula and training contents need to be revised accordingly. The learning content should include life skills, preparing youths for the labour market.
- Advice on the **processes necessary to revise the curricula** can be provided by development measures, so that pupils, parents, teachers, educational professionals, and representatives of ethnic groups are included in the drafting process. Thus, broadly accepted and supported solutions that reflect the social, cultural, environmental and economic context can be developed for the implementation of the child's right to education.
- Teachers, education managers and administrators implement national policies and curricula inside and outside school. Development measures can play a crucial role to set up a **pre- and in- service training system for teachers and education managers** that enables them to apply quality-oriented curricula in class and adequate participatory policies in the education administration.
- Changes in the curricula need to be accompanied by **human rights education** for personnel working with and for children, such as teachers and administrators, but also parents. Development cooperation can support such human rights training. Human rights training will enable personnel working with and for children to identify with and teach, promote and exemplify the values contained in article 29 CRC.
- Development cooperation should further assist partner countries in the **monitoring and evaluation** of the implementation of the child's right to quality education.



Article 29 (1) of the Convention

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 civilisations 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.

Which State party obligations are emphasised by the Committee in this General Comment?

- Provide education in a way that is **child-centred, child-friendly and empowering**. Education should provide life skills and prepare the child for a life within society.
- Incorporate the **principles of article 29 (1)** into education policies and legislation at all levels. Rework the curricula and revise textbooks and other teaching materials, as well as school policies, to reflect its values.

- **Make human and financial resources available to the maximum extent possible** in order to implement article 29 (1). Measures of development cooperation should be designed in a way that enables the complete consideration of the principles contained in article 29 (1).
- **Train future and current teachers and administrators** to identify with and teach the values contained in article 29 (1). Teaching methods must reflect the values of the Convention; specifically, States parties must refrain from violent means of school discipline.
- Make sure the **school environment** is safe and friendly for all. Eliminating discrimination requires teaching and learning about **past patterns of discrimination**, and confronting existing prejudice and discriminatory practices in the child's community.
- Encourage the **promotion and reinforcement of the values of article 29 (1) in practice** in the family and within the community; encourage the **mass media** to disseminate information beneficial to the child.
- **Monitor the implementation of article 29 (1)** at all levels. In periodic reports, identify priorities for the implementation, outline a programme of activities for the next five years, and identify genuine possibilities for obtaining review of alleged incompatibilities with article 29 (1) and explain their operation in practice.

Where can you find this General Comment?

→ General Comment No. 1 is available in Arabic, Chinese, English, French, Russian, and Spanish on the Committee's website.

You can also find it by its UN document number CRC/GC/2001/1.

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