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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Curriculum, pedagogy and assessment as elements of the right to education

Report of the Special Rapporteur on the right to education, Farida Shaheed*

Summary

In the present report, submitted to the Human Rights Council pursuant to Council resolutions 8/4 and 53/7, the Special Rapporteur on the right to education, Farida Shaheed, addresses curriculum, pedagogy and assessment as elements of the right to education.

While the specific choices of what to teach, how to teach and how to assess learning fall within the sovereign responsibility of States, curricula, pedagogy and assessment must be aligned with the internationally recognized aims of education. States have agreed that education must foster the full development of the human personality and a sense of dignity, strengthen respect for human rights and fundamental freedoms and equip every person to participate effectively in a free society. Education must also promote understanding, tolerance and friendship among nations and across racial, ethnic and religious groups and support the wider purposes of the United Nations in maintaining peace.

This report analyses how curriculum content, pedagogical practices and assessment models can be aligned with each other and with the aims of education, and equip learners with the skills, values and resilience needed to address and navigate evolving realities. It also examines the political economy of curriculum design, the roles of teachers, students and parents in decision-making and the interactions between global frameworks and local cultural knowledge, in an overall human rights-based approach to curriculum, pedagogy and assessment.

* The present document was submitted to the conference services for processing after the deadline so as to include the most recent information.



I. Introduction

1. In this report, submitted pursuant to Human Rights Council resolutions 8/4 and 53/7, the Special Rapporteur on the right to education, Farida Shaheed, addresses curriculum, pedagogy and assessment as elements of the right to education.
2. The call for input for the report attracted more than 150 submissions from States, national human rights institutions, civil society organizations, educators, youth and communities across diverse contexts.¹ In addition, the Special Rapporteur received over 300 responses to a student and youth survey on what education should be like. These responses informed the preparation of the present report, and are summarized in an addendum.² The Special Rapporteur warmly thanks all contributors.
3. Education is a fundamental and enabling human right that is indispensable to the realization of all other rights. Under international human rights law, it extends beyond access to schooling and must be directed towards the full development of the human personality, dignity and participation in society.
4. Education systems worldwide are undergoing profound transformation driven by or in response to accelerating social, technological, environmental, political and economic changes. Significant policy efforts have expanded access to schooling, but have been insufficient to ensure meaningful learning and educational equity.³ The global agenda is shifting to encompass the quality, relevance and purpose of education.
5. The right to quality education, beyond access, is essentially manifested through the interconnected framework of curriculum, pedagogy and assessment. Curricula determine which knowledge, skills and values are recognized; pedagogy determines how schools, teachers and learners engage with this content; and assessment determines what society values, rewards or sanctions. Fragmented systems of curriculum, pedagogy and assessment contribute to widening inequalities that prevent learners from enjoying their right to quality education, particularly those affected by poverty, disability, migration, conflict, discrimination and all other forms of marginalization.⁴ Essentially, when these core dimensions are misaligned and do not promote the aims of education under international law, this constitutes a systemic failure of education systems, contributing to exclusion and a loss of meaning in learning.
6. Such systemic failures have been intensified by the coronavirus disease (COVID-19) pandemic, armed conflict, climate disruption and mounting resource constraints. Rapid digitalization, privatization and the expansion of artificial intelligence are further reshaping education systems,⁵ often without adequate safeguards. There is a growing risk that education is reduced to that which can be easily measured or automated, narrowing its human rights purposes.⁶ In the absence of alignment, assessment frequently overrides curriculum and pedagogy, entrenching standardization and weakening inclusive, learner-centred approaches, even where they are formally endorsed.⁷

¹ The present report is based on an analysis of the information contained in the responses received, which are available at <https://www.ohchr.org/en/calls-for-input/2026/call-inputs-curriculum-pedagogy-and-assessment-service-right-education>.

² A/HRC/62/39/Add.3.

³ See <https://gem-report-2020.unesco.org/>.

⁴ See Geraldine Townend and others, "What does the international literature say about assessment practice for equitable learning outcomes for educationally disadvantaged high school students?", *Frontiers in Education*, vol. 10 (2025), 20 August 2025.

⁵ See A/79/520, A/HRC/32/37, A/HRC/44/39 and A/HRC/50/32.

⁶ See Gavin T.L. Brown, "The past, present and future of educational assessment: a transdisciplinary perspective", *Frontiers in Education*, vol. 7 (2022), 11 November 2022.

⁷ See Guri A. Nortvedt and others, "Aiding culturally responsive assessment in schools in a globalising world", *Educational Assessment, Evaluation and Accountability*, vol. 32, No. 1 (February 2020).

7. Simultaneously, States face competing pressures, including economic growth,⁸ labour-market demands and political or commercial interests, which narrow human rights-aligned education. Persistent governance constraints, limited or tokenistic participation by teacher and learner, insufficient and poorly supported teacher training, chronic teacher shortages and general underfunding restrict the capacity to implement reforms that are aligned with human rights.

8. Taken together, these challenges demonstrate that curriculum, pedagogy and assessment must be addressed as an integrated framework. Their inter-element alignment and compliance with international human rights law are essential to deliver quality education for all in line with Sustainable Development Goal 4.

II. Aims of education under international human rights law

9. The right to education is a matter not only of access, but also of content,⁹ which is defined by curriculum, pedagogy and assessment. While the specific choices as to what and how to teach and how to assess learning fall within the sovereign responsibility of States as duty bearers under international law, these choices must be aligned with the internationally recognized aims of education defined in article 26 of the Universal Declaration of Human Rights, article 13 of the International Covenant on Economic, Social and Cultural Rights, article 29 of the Convention on the Rights of the Child and article 5 of the Convention against Discrimination in Education.

10. Under these legal instruments, read jointly, States have agreed that education shall aim to achieve:

- (a) The full development of the human personality and the sense of human dignity;
- (b) The development of the child's talents and mental and physical abilities to their fullest potential;
- (c) The development and strengthening of respect for human rights and fundamental freedoms and for the principles enshrined in the Charter of the United Nations;
- (d) The furthering of the activities of the United Nations for the maintenance of peace;
- (e) The enabling of all persons to participate effectively in a free society;
- (f) The promotion of understanding, tolerance and friendship among all nations and racial or religious groups;
- (g) The development of respect for the child's parents, for the child's own cultural identity, language and values, for the national values of the country in which the child is living and of the country from which the child may originate, and for civilizations different from the child's own;
- (h) 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;
- (i) The development of respect for the natural environment.

11. The aims of education were further elaborated upon in subsequent widely endorsed international instruments and in the jurisprudence of treaty bodies, which must be considered part of the contemporary interpretation of the right to education.¹⁰

12. States have a duty to ensure that curricula for all educational levels are directed towards the international aims of education, and to establish and maintain a transparent and

⁸ See https://www.oecd.org/en/publications/beyond-growth_33a25ba3-en.html.

⁹ Committee on the Rights of the Child, general comment No. 1 (2001), para. 3.

¹⁰ Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 5. See also Committee on the Rights of the Child, general comment No. 1 (2001).

effective system which monitors whether education is, in fact, directed towards those aims.¹¹ For example, the Committee on the Rights of the Child recommends in numerous concluding observations that States Parties align the contents of school curricula with the aims of education, and it requests States Parties to include information on the qualitative dimension of the right to education into their periodic reports.¹²

13. A clear understanding of these aims in their entirety, including their overlapping dimensions relating to individual development, cultural identity and social, economic and political engagement, is essential for the full realization of the right to education consistent with a human rights-based approach.

III. Overarching principles of human rights-based curriculum, pedagogy and assessment

14. There is no single source that defines a human rights-based approach, nor is there a uniform definition across United Nations agencies and programmes.¹³ Generally, it may be defined as a conceptual framework normatively based on international human rights standards and operationally directed towards the promotion and protection of human rights. It puts human rights and corresponding State obligations at the heart of policy and can be used as a tool to empower the most vulnerable people to participate in decision-making processes and hold duty bearers accountable.

15. In terms of the right to education and its realization through curricula, pedagogy and assessment, a human rights-based approach requires a focus first of all on States' international obligations, particularly those outlining the internationally recognized aims of education listed above. Other important elements can be grouped into three clusters:

- (a) Participation and empowerment;
- (b) Non-discrimination, inclusion and equality;
- (c) Accountability, transparency and the rule of law.

16. The overarching principles outlined below can be seen as a checklist for policymakers to regulate curricula, pedagogy and assessment in a holistic way, as an ecosystem of interconnected elements, aligned with each other and with the international aims of education. These efforts should be accompanied by dedicated public resources and robust State accountability mechanisms.

A. Child-centred, child-friendly and empowering education

17. Article 3 of the Convention on the Rights of the Child requires the best interests of the child to be a primary consideration in all actions concerning children. The Committee on the Rights of the Child explains that article 29 (1) of the Convention adds a qualitative dimension to the right to education and requires education to be child-centred, child-friendly and empowering. It further clarifies that schools need to be child-friendly in the fullest sense of the term, and that education needs to provide the child with life skills, strengthen the child's capacity to enjoy the full range of human rights and promote a culture infused by appropriate human rights values. The goal is to empower children by developing their skills, learning and other capacities, human dignity, self-esteem and self-confidence. Thus, education extends far beyond formal schooling to embrace the broad range of life experiences

¹¹ Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 49.

¹² For example, [CRC/C/KGZ/CO/5-6](#), para. 49; [CRC/C/PSE/CO/1](#), para. 55; and general comment No. 1 (2001), para. 26.

¹³ See <https://www.ohchr.org/sites/default/files/Documents/Publications/FAQen.pdf>, <https://unesdoc.unesco.org/ark:/48223/pf0000131627>, https://www.undp.org/sites/g/files/zskgke326/files/publications/HR_Pub_Missinglink.pdf, https://data.unaids.org/topics/human-rights/hrissuepaper_rbadeinitions_en.pdf and https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/A%20Human%20Rights-based%20Approach%20to%20Education%20for%20All_0.pdf.

and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life.¹⁴

18. This principle manifests itself in curricula prioritizing such skills, in pedagogies stimulating natural curiosity and in assessment methods measuring the individual progress of children in their multifaceted talents and abilities.

B. Prioritizing well-being over achievement rush

19. Multiple submissions, as well as the Special Rapporteur's conversations with young people, including during country visits, unequivocally confirm that summative, grade-driven assessment, and the associated heavy workload, is a main source of stress, emotional harm and disengagement, even in systems that formally recognize children's rights.¹⁵

20. Achievement imperatives, teaching to the test and a competitive school environment are examples of education practices that negatively affect the well-being and self-esteem of students, and may violate their right to rest and play.¹⁶

21. The Committee on the Rights of the Child has noted that many children across the world are being denied this right due to an emphasis on formal academic success. For example, the curriculum and daily schedule often lack recognition of the necessity of or provision for play, recreation and rest, the use of formal or didactic pedagogical methods do not take advantage of opportunities for active playful learning, and formal assessment practices create pressure for educational achievement.¹⁷

22. The same Committee has stressed in numerous concluding observations that children should not be overloaded with schoolwork and homework, that their study load should correspond to their age and capabilities and that they should have sufficient time for rest and hobbies, access to free, unstructured, imaginative play and access to recreational activities during school time.¹⁸ In some cases, the Committee has noted that the social pressure to excel academically, combined with smartphone overuse and a severe lack of free time and safe facilities for leisure, play and physical exercise for children, requires States Parties to take measures, such as awareness-raising programmes and public campaigns, to change the perception of and attitudes towards rest, leisure and play as key factors to children's development.¹⁹ It has recommended phasing out practices, including testing measures, that contribute to the high levels of stress felt by students owing to academic pressure and ensure that children benefit from a creative learning environment.²⁰

23. Curricula, pedagogy and assessment, together with a supportive school culture, must prioritize learners' well-being as both a means and an outcome of human rights-aligned pedagogy. The Happy Schools initiative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) recognizes happiness as both a contributor to and an indicator of quality education.²¹

24. Social and emotional learning is aligned with the aim of the full development of the human personality as it can help children understand and manage their emotions and establish

¹⁴ General comment No. 1 (2001), paras. 2 and 8.

¹⁵ See submissions by Children and Young People's Commissioner Scotland, Scottish Youth Parliament, European Democratic Education Community, Aisha Naz Ansari and Sohail Ahmad, World Federation of the Deaf, Western Cape Forum for Intellectual Disability, BANOO Online English School and Lily Diaz. See also [A/HRC/56/58/Add.1](#) and [A/HRC/59/41/Add.1](#).

¹⁶ Convention on the Rights of the Child, art. 31.

¹⁷ General comment No. 17 (2013), para. 41.

¹⁸ [CRC/C/EST/CO/5-7](#), paras. 37 and 38; [CRC/C/HUN/CO/6](#), para. 37; [CRC/C/PLW/CO/2](#), para. 51 (d); and [CRC/C/ZMB/CO/2-4](#), paras. 53 and 54.

¹⁹ [CRC/C/KOR/CO/5-6](#), paras. 41 (j) and 42.

²⁰ [CRC/C/GBR/CO/6-7](#), para. 47 (k).

²¹ See <https://www.unesco.org/en/education-policies/happy-schools>.

positive relationships.²² Transformative social and emotional learning²³ is also closely aligned through its focus on justice-oriented citizenship, collective well-being and the development of agency through self-awareness, social awareness, relationship skills and responsible decision-making. Social workers permanently based in schools can support student well-being,²⁴ dedicated mentors or coaches can look after the student's mental health in a non-stigmatizing way through play or informal conversations,²⁵ while the mainstreaming of social and conflict-resolution skills across the school culture can give students the opportunities to practise them collaboratively.²⁶

C. Creativity across disciplines

25. Educational environments can play a major role in stimulating creativity during and around school hours, through the physical settings, such as indoor and outdoor spaces and adequate sanitation facilities for boys and girls; through the structure of the day, allowing enough time for rest and play; through the school curriculum, upholding the aims of education by allocating appropriate time and expertise for children to learn, participate in and generate cultural and artistic activities; and through pedagogy, with active and participatory learning environments that offer, especially in the early years, playful activities and forms of engagement.²⁷

26. Wider creativity and arts as a subject often remain marginalized in the curricula of highly standardized education systems, constrained by rigid assessment pressures.²⁸ The Committee on the Rights of the Child has noted that opportunities for cultural and artistic activities in school are, in some countries, being eroded in favour of more academic subjects, with the time and space that children need to engage in spontaneous play, recreation and creativity being sidelined.²⁹

27. The Committee has urged States to protect and expand all art, music and performing arts opportunities, while emphasizing that children are entitled to time that is not determined or controlled by adults and time in which they are free of any demands, since the absence of activity can stimulate creativity. Narrowly focusing all of children's leisure time into programmed or competitive activities can be damaging to their physical, emotional, cognitive and social well-being.³⁰

28. Creativity as a cross-cutting competence, and not an optional add-on, is relevant for education aimed at the full development of the human personality and individual talents, particularly in the context of increasing domination of artificial intelligence and automation. It is education as lifelong learning that allows access to and the creation of knowledge, values and cultural heritage. The right to the freedom indispensable for scientific research and creative activity is enshrined in article 15 (3) of the International Covenant on Economic, Social and Cultural Rights. Hence, creativity should be fostered and developed as a transversal competence and protected as a human right.

²² See https://www.unhcr.org/sites/default/files/2024-12/Educationa%20Brief%20_%20Social%20and%20Emotional%20Learning_draft%206_final%20for%20publication.pdf.

²³ See Robert J. Jagers, Deborah Rivas-Drake and Brittney Williams, "Transformative social and emotional learning (SEL): toward SEL in service of educational equity and excellence", *Educational Psychologist*, vol. 54, No. 3 (July–September 2019).

²⁴ See submission by Georgia.

²⁵ See A/HRC/56/58/Add.1.

²⁶ See submissions by Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco Colombia.

²⁷ Committee on the Rights of the Child, general comment No. 17 (2013), para. 58.

²⁸ See submission by Derry Hannam.

²⁹ General comment No. 17 (2013), paras. 2 and 41.

³⁰ *Ibid.*, para. 42.

29. In Finland, the national core curriculum treats arts as a compulsory, practice-based subject, emphasizing learning by doing, multi-materiality in craft education,³¹ sustainability and local craft traditions. Teacher autonomy and local curricula enable schools to include pottery and traditional craft processes as part of community-rooted learning.³² Similarly, the Republic of Korea includes practical arts and specialized arts pathways in the curriculum, explicitly covering traditional crafts such as ceramics, while higher education and cultural heritage institutions provide formal programmes and apprenticeships that support the transmission of these skills across the education ecosystem.³³

D. Meaningful participation by children and the right to be heard

30. Meaningful participation by children is a legal requirement pursuant to article 12 of the Convention on the Rights of the Child, on the right of all children to be heard and taken seriously, which the Committee on the Rights of the Child has identified as one of the Convention's four core principles.³⁴ Children have the right to express their views freely in all matters affecting them, to have their views given due weight in accordance with their age and maturity and to be heard. The Committee has noted that the term "participation" is used to describe ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views are taken into account and shape the outcome of such processes.³⁵

31. Respect for right of the child to be heard in education is fundamental to the realization of the right to education.³⁶ The Committee recommends that, wherever possible, children be given the opportunity to be directly heard in any proceedings.³⁷ Participation through child and youth councils is a common practice.³⁸ In all educational environments, including early childhood education, children's active participation should be promoted.³⁹

32. The Committee specifies that education authorities must include children's and their parents' views in the planning of curricula and school programmes, in order that teaching and learning take into account life conditions and prospects of the children.⁴⁰

33. Participation is also an important element of democratic citizenship, a recognized aim of education, which can only be achieved through a democratic school culture, in the institutions where children learn, play and live together with other children and adults.⁴¹

34. Children's right to be heard has direct pedagogical implications. Learners must have meaningful opportunities to influence classroom processes and social practices, instructional priorities and educational decisions affecting them. Giving children's views weight is particularly important in the elimination of discrimination, prevention of bullying and disciplinary measures.⁴² UNESCO highlights the importance of moving beyond consultation towards co-design.⁴³

³¹ See <https://blogit.utu.fi/innokomp/en/article-multi-materiality-in-basic-education-craft-education-2/>.

³² See <https://www.oph.fi/en>.

³³ See <https://koreaneducentreinuk.org/en/>.

³⁴ General comment No. 12 (2009), para. 2. See also <https://resourcecentre.savethechildren.net/document/nine-basic-requirements-meaningful-and-ethical-childrens-participation>.

³⁵ General comment No. 12 (2009), para. 3.

³⁶ Ibid., paras. 105–114.

³⁷ Ibid., para. 35.

³⁸ See <https://www.unicef.org/youthledaction/media/776/file/UNICEF-Guidance-on-Child-Youth-Councils.pdf>.

³⁹ See <https://unesdoc.unesco.org/ark:/48223/pf0000154861>.

⁴⁰ General comment No. 12 (2009), para. 107.

⁴¹ See *ibid.*, para. 108.

⁴² Ibid., para. 109.

⁴³ See UNESCO, *2026 Global Education Monitoring Report: Youth Report – Lead with Youth* (Paris, 2026).

35. There are powerful examples of meaningful co-creation in education, such as the participation of very young children in formulating legislation on early childhood education and new curricula in Finland.⁴⁴

E. Non-discrimination, equality and inclusion

36. Non-discrimination, equality and inclusion are essential conditions for ensuring the right to education for all.⁴⁵ The right to inclusive education originally developed as an international legal norm for persons with disabilities.⁴⁶ Pedagogical approaches consistent with this obligation require inclusive classroom placement, differentiated instruction, co-teaching, universal design for learning and appropriate use of assistive technologies,⁴⁷ accompanied by trained staff and institutional support.⁴⁸

37. Inclusive education as a pedagogical approach now applies to all marginalized groups. Inclusion requires the modification of educational content, teaching methods and strategies so that all students enjoy an equitable learning experience in an appropriate environment. It also necessitates intercultural education, an approach increasingly adopted in many parts of the world.⁴⁹

38. Currently, age- or content-centred programmes often fail to reasonably accommodate learners with diverse needs and neurodivergent profiles who fall outside of recognized disability or special education needs frameworks. For example, the strict linear examination format of most standardized testing systems disadvantages neurodivergent students, including those with autism, attention deficit hyperactivity disorder or dyslexia, who may possess comprehensive knowledge but lack the specific cognitive processing, executive functioning or sensory profiles required for the timed, silent, high-pressure examination hall. High standardization, driven by international, national and subnational assessment regimes, can obstruct each student's genuine development needs. Students should be allowed to progress at their own developmental rhythm.

39. Non-discrimination and equality also require shifting away from narratives and practices that cement gender-fixed roles and removing gender stereotypes from curricula, as often stressed by the treaty bodies in their concluding observations.⁵⁰ For example, the principle of gender equality is violated when the curriculum for girls is narrower than that for boys or focuses on specific subjects with less access to science and other subjects, and when curricula emphasize traditional gender roles and reinforce conservative views regarding the role of women in society.⁵¹

F. Acceptability in the form of relevance of the curriculum

40. The principle of acceptability provides that the form and substance of education, including curricula and teaching methods, have to be relevant and of good quality, subject to the required educational objectives and to such minimum educational standards as may be approved by the State.⁵²

⁴⁴ [A/HRC/56/58/Add.1](#), para. 27.

⁴⁵ [A/HRC/53/27](#), paras. 42–47. See also [A/72/496](#).

⁴⁶ See [A/HRC/4/29](#), [A/HRC/25/29](#) and [A/HRC/25/29/Corr.1](#), and Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016).

⁴⁷ See <https://www.thewindwardschool.org/institute-blogs/leveraging-technology-to-empower-students-with-dyslexia/>.

⁴⁸ See Lani Florian and Holly Linklater, "Preparing teachers for inclusive education: using inclusive pedagogy to enhance teaching and learning for all", *Cambridge Journal of Education*, vol. 40, No. 4 (2010); and submission by Autism Goals.

⁴⁹ [A/HRC/53/27](#), para. 46; and Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016), para. 11. See also [A/HRC/47/32](#).

⁵⁰ For example, [CEDAW/C/IRQ/CO/8](#), para. 38 (e).

⁵¹ See <https://bishnaw.com/girls-in-madrassas-challenges-and-opportunities-in-afghanistan/>; and submission by the HAMRAH Network.

⁵² Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 6.

41. Curriculum relevance and related assessment practices is a serious concern in a context of rapidly transforming labour markets and social systems.⁵³ The curriculum is perceived by many learners across regions as disconnected from their realities and the skills needed to succeed in the job market.⁵⁴ Young people increasingly question curricula that they consider outdated and irrelevant and demand a meaningful review of content and objectives.⁵⁵

42. Indeed, rigidly standardized curricula linked to content-heavy assessment practices are ill-suited to rapid social and technological change and diverse learning needs. They suppress agency, curiosity and intrinsic motivation and undermine the full development of the human personality and social responsibility affirmed in international human rights law. It is vital to balance continuity with future-oriented perspectives, enabling learners to transfer knowledge across contexts, navigate uncertainty and continue learning throughout life. This requires pedagogical ecosystems to uphold learner agency and human diversity while enabling every learner to succeed on their own terms with assessment systems that value creativity, critical thinking and meaningful learner contributions.

G. Acceptability in the form of cultural appropriateness promoting epistemic justice

43. Acceptability demands strong contextualization: curricula, pedagogies and assessment methods should be rooted in local realities, integrate multiple knowledge systems, including community and Indigenous knowledge, be sensitive to cultural and social contexts and recognize linguistic, cultural and cognitive diversity.⁵⁶

44. Contemporary scholarship recognizes the right to self-determination and cultural identity as elements of the right to education,⁵⁷ particularly regarding the language of teaching and learning.⁵⁸ The Convention on the Rights of the Child, outlining the aims of education, specifically mentions the child's cultural identity, language and values (art. 29 (1) (c)).

45. The use of the child's first language, central to the child's identity, thus becomes instrumental for meaningful access to learning, especially foundational learning.⁵⁹ The UNESCO *Languages Matter* report and the work of the Special Rapporteur on minority issues⁶⁰ reaffirm that instruction in learners' strongest language, wherever feasible, is central to accessibility, acceptability and adaptability.⁶¹ Denial of instruction and assessment in learners' languages undermines their right to education.⁶² The failure to recognize sign languages as languages of instruction and assessment may constitute discrimination.⁶³

⁵³ See <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099909210102462478>.

⁵⁴ See submissions by European Democratic Education Community, Alliance for Self-Directed Education, Sylvie Crawford, Slobodná demokratická škola Košice (Private Elementary School of Democratic Education, Košice, Slovakia), Henning Graner, Jacqueline Vial, Scottish Youth Parliament and Sílvia Cópido.

⁵⁵ See A/HRC/62/39/Add.3.

⁵⁶ See A/HRC/47/32.

⁵⁷ See Teresa L. McCarty and others, "Indigenous epistemologies and education: self-determination, anthropology, and human rights", *Anthropology and Education Quarterly*, vol. 36, No. 1 (March 2005). See also submissions by the Institute for Peace and Leadership USA and Geledés – Instituto da Mulher Negra.

⁵⁸ See submission by Council of Europe.

⁵⁹ See submission by Flemish Children's Rights Commissioner.

⁶⁰ See A/HRC/43/47.

⁶¹ See Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; guidance note of the Secretary-General on racial discrimination and the protection of minorities; and The Hague Recommendations Regarding the Education Rights of National Minorities.

⁶² See submissions by North Macedonia, Alexandre Magno Fernandes Moreira, Ashley Berner and David Steiner, Council of Europe, UNESCO, Jiayuan Tian and Human Rights Watch.

⁶³ See submission by World Federation of the Deaf.

46. Decolonized and endogenous knowledge frameworks are essential to restoring dignity, relevance and fairness across all subject areas.⁶⁴ For this, curricula and corresponding assessment materials must be audited to remove any embedded biases that present partial or distorted “truths” and to ensure that diverse knowledge systems are represented. Pedagogy must be adjusted to respect cultural identity, language, knowledge systems and the right to self-determination. For example, well-established pedagogical frameworks, such as culturally relevant teaching,⁶⁵ culturally responsive instruction⁶⁶ and culturally-sustaining pedagogy,⁶⁷ emphasize that education should actively sustain cultural identities rather than merely adapt to diversity. Culturally-sustaining pedagogy is essential to trust, participation and educational legitimacy, particularly where education systems have historically functioned as mechanisms of assimilation.⁶⁸

47. Treaty bodies, in their concluding observations, have requested States to take steps to decolonize and remove discriminatory content from textbooks and curricula and develop educative materials that foster respect for and the appreciation of racial, cultural, gender and other diversities,⁶⁹ and adequately reflect in school curricula the accurate history of their colonial past and the cultural heritage and history of protected groups and their contributions to society.⁷⁰

48. Practical reforms include restoring Indigenous and local knowledges, correcting misleading representations (for example, distorted world maps) and ensuring that curricular content is pluralistic, evidence-based and accountable to the communities that it serves. States must adopt participatory, rights-based processes to redress historical exclusions and guarantee that curricula empower rather than marginalize learners.

49. In New Zealand, for example, *Te Whāriki*, the early learning curriculum, is explicitly bicultural and requires locally developed curricula that reflect place, language and *whānau* (family or community), positioning cultural identity and learner agency as central educational principles.⁷¹ Kura Kaupapa Māori pedagogy, developed with Indigenous communities, respects students’ cultural identity and cultivates Indigenous languages, histories and world views.⁷²

50. In Ecuador, the curriculum presents a comprehensive intercultural approach grounded in the model of the intercultural bilingual education system. It recognizes linguistic and territorial diversity, incorporates instruction in heritage languages and promotes the use of ancestral and local knowledge, according to the territories and sociocultural realities of the students. It bridges Western scientific knowledge with Indigenous, Afrodescendent, rural and community knowledge systems.⁷³

51. Countries are taking steps to integrate the school and community. Examples include Portugal, Spain,⁷⁴ community-run schools in Mexico,⁷⁵ and the recognition of Indigenous elders as holders of knowledge and as teachers in Canada.⁷⁶ In Uganda, ubuntu-inspired

⁶⁴ See submission by UNESCO.

⁶⁵ See Gloria Ladson-Billings, “Toward a theory of culturally relevant pedagogy”, *American Educational Research Journal*, vol. 32, No. 3 (September 1995).

⁶⁶ See Geneva Gay, “Preparing for culturally responsive teaching”, *Journal of Teacher Education*, vol. 53, No. 2 (March 2002).

⁶⁷ See Django Paris, “Culturally sustaining pedagogy: a needed change in stance, terminology, and practice”, *Educational Researcher*, vol. 41, No. 3 (April 2012).

⁶⁸ See submission by Council of Europe.

⁶⁹ [CRC/C/GBR/CO/6-7](#), para. 47 (h).

⁷⁰ [CERD/C/PRT/CO/18-19](#), para. 36 (b).

⁷¹ See <https://www.education.govt.nz/early-childhood/teaching-and-learning/te-whariki>.

⁷² See Lesley Rameka and Shelley Stagg Peterson, “Sustaining Indigenous languages and cultures: Māori medium education in Aotearoa New Zealand and Aboriginal Head Start in Canada”, *Kōtuitui: New Zealand Journal of Social Sciences Online*, vol. 16, No. 2 (November 2021).

⁷³ See https://educacionbilingue.gob.ec/?page_id=10060 (in Spanish).

⁷⁴ See submission by Portugal and <https://hundred.org/en/innovations/comunidades-de-aprendizaje>.

⁷⁵ See Julieta Briseño-Roa, “Indigenous land-based education in Mexico: practices to perpetuate communal knowledge of territory”, *AlterNative: An International Journal of Indigenous Peoples*, vol. 19, No. 3 (September 2023).

⁷⁶ See https://www.edu.gov.mb.ca/iee/docs/elders_knowledge_keepers_guidelines.pdf.

collective pedagogy plays a role in the creation of shared learning communities that are inclusive of all learners, especially refugees.⁷⁷

H. Adaptability

52. Adaptability, another core principle of the right to education that is relevant to the curriculum, requires education to be flexible so that it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.⁷⁸

53. Flexibility is an operational feature of adaptable education systems in which curricula evolve in line with scientific and societal developments, avoiding outdated or static content, and enable learners to engage with emerging knowledge, technologies and global challenges.

54. Simultaneously, clear safeguards must guide responsiveness to evolving social, scientific and contextual realities. Adaptation should be necessary, proportionate and aligned with the established aims of education, not driven by short-term political cycles or frequent shifts in ministerial priorities. Excessive reforms in quick succession risk undermining the coherence and quality of education and imposes significant resource burdens on education systems, including the time, capacity and professional investment required from schools and teachers to continuously adjust. In this regard, adaptability should not be understood solely as central-level curricular change, but also as a function of subsidiarity, enabled through school autonomy and academic freedom of educators,⁷⁹ allowing context-sensitive adjustments at the local level within a stable and rights-based national framework.

I. Transparency in decision-making concerning the curriculum, pedagogy and assessment

55. In order to be aligned with human rights standards, the curriculum, pedagogy and assessment must be developed in a holistic manner, as a single system of interconnected elements, through a transparent process, and with input from diverse academic and pedagogical profiles, rather than exclusively by political or economic actors, technocrats and publishers. The full realization of the right to education requires ensuring equitable representation, transparent and evidence-based procedures and robust safeguards against conflicts of interest.⁸⁰

56. For teachers,⁸¹ participation in decisions on the development of the curriculum, pedagogy and assessment is an element of their right to teach in accordance with their pedagogical convictions.⁸² Teachers are well placed to judge the quality of the teaching materials and methods most suitable for their pupils. As the Secretary-General has stressed, the capacity, agency and autonomy of teachers must be broadened, empowering them to design, interpret and manage the curriculum and to adapt and prioritize content and pedagogy.⁸³

⁷⁷ See submissions by Office of the United Nations High Commissioner for Refugees and Manya Oriel Kagan.

⁷⁸ Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 6.

⁷⁹ See [A/HRC/56/58](#).

⁸⁰ See https://www.oecd.org/content/dam/oecd/en/publications/reports/2020/12/curriculum-reform_16f39dcc/efe8a48c-en.pdf.

⁸¹ See [A/78/364](#).

⁸² Universal Declaration of Human Rights, art. 18; and International Labour Organization (ILO) and UNESCO, Recommendation concerning the Status of Teachers, para. 62.

⁸³ See https://www.un.org/sites/un2.un.org/files/2022/09/sg_vision_statement_on_transforming_education.pdf.

57. Curriculum design is inherently a process of consensus-building and co-creation with all actors concerned.⁸⁴ Transparency can be achieved, inter alia, through meaningful consultations at the national, regional and community levels, involving a wide range of education stakeholders, and using layered structures to ensure the integration of community knowledge and local realities, diversity of perspectives, ownership of the process and result, coherence in implementation, stronger social accountability, relevance and the cultural adequacy of education.

58. For example, in Australia, the curriculum development process led by the Australian Curriculum, Assessment and Reporting Authority involves multiple stakeholders in the federated education system.⁸⁵ The process provides space for meaningful participation by the scientific community, industry, academics and educators through structured expert and advisory groups, and by broader communities through public consultations.

J. Accountability and safeguards against undue influence

59. Too often, curriculum design remains highly centralized, with national or federal authorities defining content, standards and learning outcomes. While centralization can ensure coherence and national unity, it carries risks of restricting pluralism and creating undue influence. Extreme decentralization of curriculum governance can also be problematic, especially when it leads to a dilution of the international obligations of the State to provide quality education for all.⁸⁶

60. Special procedure mandate holders have consistently urged States to safeguard education from undue influence, pressure, restrictions or retaliation by various commercial or political actors and their vested interests,⁸⁷ particularly in the production of textbooks.⁸⁸ Documented risks include restrictions on content, reduced diversity, the influence of religion and ideology, and propaganda, militarization and other forms of indoctrination.⁸⁹

61. Curricula and associated assessment practices are shaped by power relations, economic interests and ideological agendas.⁹⁰ Transparent curriculum governance, coupled with the protection of academic freedom, is therefore crucial to ensure that teaching enhances the progress of learning, rather than exposing educators or students to risks.

IV. Examples of human rights-based approaches to the curriculum, pedagogy and assessment

A. Curricula and essential areas of learning

62. Curricula are a key means through which States either fulfil or undermine their obligations to ensure education that is compatible with international aims of education. It would not be possible to catalogue all existing approaches to curriculum content, development and implementation. UNESCO and its International Bureau of Education support countries in designing, developing and implementing high-quality, evidence-based curricula that respond to local and national needs, while addressing global challenges.⁹¹ The Bureau's Documentation Centre comprises an important and diverse repository of curriculum-related materials.⁹²

⁸⁴ See <https://unesdoc.unesco.org/ark:/48223/pf0000397335>.

⁸⁵ See submission by Australia.

⁸⁶ See A/HRC/59/41/Add.1.

⁸⁷ A/HRC/56/58, para. 84. See also A/75/261.

⁸⁸ See A/68/296 and A/74/243.

⁸⁹ See A/HRC/56/58.

⁹⁰ See submission by Institute for Peace and Leadership USA.

⁹¹ See <https://www.unesco.org/en/curriculum>.

⁹² See <https://www.ibe.unesco.org/en/node/89>.

63. From basic learning needs, as defined in article 1 of the 1990 World Declaration on Education for All (including literacy, oral expression, numeracy and problem-solving),⁹³ to the landmark Delors Report, outlining the four pillars of contemporary education (learning to know, learning to do, learning to live together and learning to be),⁹⁴ the international community is progressing in connecting curricula with the international aims of education.

64. In 2021, the International Labour Organization (ILO) published a comprehensive framework on core skills for life and work in the twenty-first century.⁹⁵ Following up on that work, in 2023, UNESCO detailed the top 10 most sought-after competencies, in the order of frequency:⁹⁶

- (a) Emotional intelligence;
- (b) Empathy;
- (c) Creativity;
- (d) Critical thinking;
- (e) Collaboration;
- (f) Effective communication;
- (g) Complex problem-solving;
- (h) Digital literacy;
- (i) Learning to learn;
- (j) Perseverance or resilience.

65. With the growing integration of artificial intelligence into education,⁹⁷ it is increasingly important to prepare students to be responsible users and co-creators of artificial intelligence. The UNESCO competency frameworks on artificial intelligence for students and teachers aim to help integrate artificial intelligence learning objectives into curricula, focusing on a human-centred mindset, ethics, techniques and applications, and system design.⁹⁸

66. International recommendations and guidance on areas such as human rights and citizenship education,⁹⁹ socio and emotional learning,¹⁰⁰ life skills,¹⁰¹ digital literacy,¹⁰² sustainability and climate change,¹⁰³ entrepreneurship,¹⁰⁴ comprehensive sexuality education¹⁰⁵ and education for peace¹⁰⁶ are well developed, although some of them remain controversial at the national level.

⁹³ See <https://unesdoc.unesco.org/ark:/48223/pf0000127583>.

⁹⁴ See <https://unesdoc.unesco.org/ark:/48223/pf0000102734>.

⁹⁵ See <https://www.ilo.org/publications/global-framework-core-skills-life-and-work-21st-century>.

⁹⁶ See https://unesdoc.unesco.org/ark:/48223/pf0000386933_eng.

⁹⁷ See A/79/520.

⁹⁸ See <https://www.unesco.org/en/articles/ai-competency-framework-students> and <https://www.unesco.org/en/articles/ai-competency-framework-teachers>.

⁹⁹ See <https://www.ohchr.org/en/resources/educators/human-rights-education-training>.

¹⁰⁰ See <https://unesdoc.unesco.org/ark:/48223/pf0000392261>.

¹⁰¹ See <https://www.unicef.org/india/media/2571/file/Comprehensive-lifeskills-framework.pdf>.

¹⁰² See <https://unesdoc.unesco.org/ark:/48223/pf0000214485>.

¹⁰³ See <https://www.unesco.org/en/sustainable-development/education?hub=761>.

¹⁰⁴ See <https://unevoc.unesco.org/bilt/BILT+-+Entrepreneurship+in+TVET>.

¹⁰⁵ See <https://www.unesco.org/en/health-education/cse> and <https://www.who.int/news-room/fact-sheets/detail/comprehensive-sexuality-education>.

¹⁰⁶ See <https://www.unesco.org/en/global-citizenship-peace-education/recommendation>.

B. Pedagogical practices that are compliant with the aims of education

67. Both the pedagogical methods and the environment within which education takes place matter in terms of achieving the aims of education.¹⁰⁷ The aims of education cannot be fulfilled where pedagogical approaches treat learners as passive recipients of instruction or prioritize compliance, standardization or control over agency and participation. Instead, education must be provided in a way that respects the child's dignity and their rights to express their views freely and to participate in school life, that respects the strict limits on school discipline, including the prohibition of corporal punishment, and that promotes non-violence, positive behaviour support¹⁰⁸ and conflict-resolution practices grounded in dialogue.¹⁰⁹

68. Human rights-based pedagogical approaches are learner-centred, participatory, experiential, restorative¹¹⁰ and supportive,¹¹¹ with learner voice and agency at their core.¹¹² Pedagogical methods carry value and shape young people for the future, and are consequently crucial for the full development of the child's personality. Child-centred pedagogical methods entail discussion rather than punishment, constructive sanctions rather than corporal punishment, confidence rather than surveillance, respect rather than denunciation, cooperation rather than competition, inclusiveness rather than segregated grouping and critical thinking rather than obedience.

69. Learner-centred pedagogy demands safety and trust. Safety in education entails the right to be protected from any violation of physical, sexual or psychoemotional integrity, as well as from practices that might harm or endanger healthy relationships and the free expression of identities. Safety also entails the ability of all persons to enjoy and exercise their human rights in all aspects of education, without discrimination, fear or reprisal, in a non-intimidating environment.¹¹³

70. A safe environment is characterized by relationships of trust, whereby educators act as mentors and facilitators rather than as authority figures. Teachers must enjoy the pedagogical freedom and autonomy necessary to tailor content and pedagogy to students' needs and local cultures.¹¹⁴ Classrooms must be spaces where educators are reflective, explicitly anti-exclusionary and attentive to power relations,¹¹⁵ while also cultivating diversity and intercultural understanding.¹¹⁶ Such environments actively facilitate inclusion and non-discrimination and recognize diversity as a resource rather than a challenge to be managed. Evidence indicates that pedagogical practices relying on fear, public comparison or exclusion undermine dignity, participation and learning itself.¹¹⁷

¹⁰⁷ Committee on the Rights of the Child, general comment No. 1 (2001), para. 8.

¹⁰⁸ See submission by Autism Goals.

¹⁰⁹ See UNESCO, Recommendation on Education for Peace and Human Rights, International Understanding, Cooperation, Fundamental Freedoms, Global Citizenship and Sustainable Development.

¹¹⁰ See <https://digitallibrary.un.org/record/3846465?v=pdf>.

¹¹¹ See submission by Compassionate Mother Organization.

¹¹² See <https://doi.org/10.54675/ASRB4722>.

¹¹³ A/HRC/59/41, para. 43.

¹¹⁴ See ILO and UNESCO, Recommendation concerning the Status of Teachers; UNESCO, Recommendation on Education for Peace and Human Rights; and submission by Australasian Democratic Education Community.

¹¹⁵ See submissions by Alana Institute and Geledés – Instituto da Mulher Negra.

¹¹⁶ See submissions by Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco Madagascar and Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco Myanmar.

¹¹⁷ See Mary Helen Immordino-Yang, Linda Darling-Hammond and Christina Krone, "The brain basis for integrated social, emotional and academic development: how emotions and social relationships drive learning" Aspen Institute, 2018; Alfie Kohn, "The case against competition", *Working Mother*, September 1987; and Camila Cribb Fabersunne and others, "Exclusionary school discipline and school achievement for middle and high school students, by race and ethnicity", *JAMA Network Open*, vol. 6, No. 10 (October 2023).

71. The effective implementation of these practices requires systematic training for teachers,¹¹⁸ and a learner-centred school culture supported by adequate funding of teachers' salaries and working conditions.¹¹⁹ An important barrier to implementing human rights-based pedagogy noted in submissions from across regions is excessive standardization, particularly emphasis on high-stakes testing, prescriptive curricula, rigid pacing and assessment-driven accountability.¹²⁰

72. Numerous examples of pedagogical approaches aligned with international aims of education were highlighted in the submissions received. These approaches share a commitment to active participation, contextual relevance and meaningful engagement with real-world issues through experiential, project-based, inquiry-based, collaborative, community service- and self-directed learning. Examples include Waldorf and project-based learning initiatives,¹²¹ the "Education for human flourishing" framework,¹²² democratic and self-directed education models,¹²³ Indigenous land-based pedagogies,¹²⁴ personalized education in the classroom¹²⁵ and the *Escuela Nueva* model in Colombia, whereby students work in self-paced, small-group learning modules and teachers act as facilitators and focus on problem-solving, peer mentoring and strong local community involvement.¹²⁶

73. In contexts affected by conflict, displacement and humanitarian emergencies, trauma-informed pedagogy is essential.¹²⁷ In fact, education itself becomes a form of reparation.¹²⁸ For example, in Nigeria, a trauma-informed approach incorporates participatory and strengths-based teaching, creative and play-based methods and psychosocial and medical support to ensure students' safety and academic progress.¹²⁹

C. Rethinking assessment: from rating performance to supporting learning

74. Assessment plays a decisive role in shaping how the right to education is realized: it determines what learning is valued, how learning is recognized and how learners progress. It also solidifies inclusion or exclusion in education systems. Assessment systems can serve as a data-collection tool to monitor progress on the attainment of the minimum level of knowledge and skills in certain learning domains required by Sustainable Development Goal 4,¹³⁰ or as an indicator in international rankings, such as the Programme for International Student Assessment of the Organisation for Economic Co-operation and Development (OECD).¹³¹ However, this technical role should not overshadow the main purpose of assessment: to check what learning has taken place in a manner consistent with the aims of education.

¹¹⁸ See submissions by UNESCO and Alexandre Magno Fernandes Moreira.

¹¹⁹ See [A/78/364](#).

¹²⁰ See submissions by Portugal, Sílvia Cópico, Celestino Gusmão Pereira, Gabriela Gomes da Silva Costa, Jaydip Phukan, Citizens and NGOs Associations for the Convention on the Rights of the Child, Federación Internacional de Fe y Alegría and Scottish Youth Parliament.

¹²¹ See <https://www.michaeloak.org.za/more-about-our-approach/waldorf-and-project-based-learning-pbl/>.

¹²² See https://www.oecd.org/en/publications/education-for-human-flourishing_73d7cb96-en.html.

¹²³ See submission by Slobodná demokratická škola Košice.

¹²⁴ See <https://en.ccunesco.ca/idealab/indigenous-land-based-education>.

¹²⁵ For example, see submission by Czechia.

¹²⁶ See <https://www.mineduacion.gov.co/portal/Preescolar-basica-y-media/Modelos-Educativos-Flexibles/340089:Escuela-Nueva> (in Spanish).

¹²⁷ See Simona Goldin and others, "Deciphering truth: teaching about the systemic nature of trauma", *Urban Education*, vol. 60, No. 3 (March 2023).

¹²⁸ [A/80/479](#), para. 48.

¹²⁹ See <https://www.globalsurvivorsfund.org/latest/articles/reparative-education-as-a-path-to-healing-in-nigeria/>.

¹³⁰ See <https://www.uis.unesco.org/sites/default/files/medias/fichiers/2025/08/principles-good-practice-learning-assessments-2017-en.pdf>.

¹³¹ See <https://www.oecd.org/en/about/programmes/pisa.html>.

75. A central distinction exists between formative assessment, designed to support learning through feedback and adaptation, and summative assessment, used for certification or selection. While policy and research emphasize assessment for learning, summative and high-stakes examinations prevail.¹³² These regimes narrow curriculum implementation, discourage pedagogical innovation and teacher agency and prioritize that which can be easily measured over meaningful learning.

76. In a human rights framework, assessment must serve the aims of education, which, notably, do not consist of any notion of success or external evaluation of achievements. On the contrary, they focus on the child's inner development, their talents, abilities, competencies and skills, even feelings, such as the sense of dignity or respect for parents, culture, different civilizations and the environment.

77. Assessment is an integral normative and pedagogical component of the right to education, with profound implications at the individual and collective levels. Assessment practices breach the right to education if they function primarily as mechanisms of selection or ranking rather than as support for learning, entail the denial of reasonable accommodation or flexibility, override pedagogical judgment and learner context or cause foreseeable harm to dignity, motivation or continued participation.

78. In many systems, assessment remains dominated by centrally-mandated standardized testing used for accountability and evaluation, despite evidence of technical and cultural bias, and of a role in reproducing social and cultural inequalities.¹³³ Assessment regimes shape classroom priorities, constrain teacher autonomy and marginalize formative and contextualized approaches, creating a persistent gap between learner-centred policy commitments and the actual teaching and learning, whereby instruction is adapted to assessments rather than to learners' needs or curricular intentions.¹³⁴

79. High-stakes testing and assessment-based selection have a significant impact on equity, disproportionately affecting learners facing poverty, disability, migration, language barriers or disrupted schooling, and are closely associated with grade repetition, early tracking, dropout rates and exclusion.¹³⁵ Exclusion is exacerbated in education systems that tie assessment outcomes to pedagogical and institutional evaluation or funding.¹³⁶ Exclusion is further deepened when assessment practices incorporate behavioural norms, language proficiency and implicit cultural expectations, which can disadvantage learners from non-dominant backgrounds.¹³⁷

80. Assessment regimes too often reward compliance with standardized outputs and narrow assessment practice and encourage risk avoidance.¹³⁸ Teachers across regions

¹³² See <https://gem-report-2020.unesco.org/>.

¹³³ See Kyung Hee Kim and Darya Zabelina, "Cultural bias in assessment: can creativity assessment help?", *International Journal of Critical Pedagogy*, vol. 6, No. 2 (2015); and Denisse Sepúlveda and others, "Education and the production of inequalities across the global South and North", *Journal of Sociology*, vol. 58, No. 3 (September 2022).

¹³⁴ See submissions by Ashley Berner and David Steiner, Aisha Naz Ansari and Sohail Ahmad, and Universidad Católica Andrés Bello.

¹³⁵ See <https://gem-report-2020.unesco.org/>; Committee on the Rights of Persons with Disabilities, general comment No. 4 (2016); and Townsend and others, "What does the international literature say about assessment practice for equitable learning outcomes for educationally disadvantaged high school students?"

¹³⁶ For example, [A/HRC/59/41/Add.1](#), para. 46.

¹³⁷ See Xinyu Liu, "A comparative study on the roles of the World Bank, the OECD and UNESCO in global education policymaking", in *Proceedings of the 2022 International Conference on Creative Industry and Knowledge Economy (CIKE 2022)*, Advances in Economics, Business and Management Research (Atlantic Press International, 2022); Yifei Yan, "Making accountability work in basic education: reforms, challenges and the role of the government", *Policy Design and Practice*, vol. 2, No. 1 (March 2019); and Irit Levy-Feldman, "The role of assessment in improving education and promoting educational equity", *Education Sciences*, vol. 15, No. 2 (February 2025).

¹³⁸ See Levy-Feldman, "The role of assessment".

describe assessment-driven accountability and performance pressures as creating implicit incentives for exclusion to protect institutional results, rankings or performance indicators.¹³⁹

81. Youth-led organizations especially emphasize that assessment practices rarely recognize learner agency or voice or diverse pathways.¹⁴⁰ Learners report high emotional and academic stakes, limited opportunities for dialogue, reflection or recovery and little time and few opportunities for deep learning and meaningful engagement.

82. Teachers similarly report that assessment pressure constrains their ability to adapt instruction, even where curricula formally allow flexibility. In particular, they emphasize that, despite their best intentions, inspection and accountability regimes focused on standardized performance indicators insist on education triage and teaching to the test, thereby narrowing assessment choices and limiting the wider adoption of human rights-aligned approaches.¹⁴¹

83. Across all regions, evidence shows that repeated failure in high-stakes testing, combined with rigid rules on progression and limited remediation, converts assessment from a support mechanism into an exit point from education.¹⁴² Learners, teachers and civil society consistently report that examination-driven systems generate anxiety, stigmatization and disengagement, particularly for learners with disabilities,¹⁴³ negatively affecting motivation, mental well-being and sense of belonging.¹⁴⁴ Learners often disengage not because they lack capacity, but because they lack meaningful pathways for recovery or re-engagement.¹⁴⁵

84. Consequently, assessment is experienced as a gatekeeping mechanism, in conflict with the human rights aims of dignity, inclusion and the full development of the learner.

85. The Special Rapporteur has repeatedly recommended that assessment practices prioritize genuine learning and individual growth over standardized testing.¹⁴⁶ A shift is urgently needed to a more holistic approach, with reduced academic pressure for students and teachers, that favours well-rounded education encompassing artistic and scientific creativity, empathy, climate awareness, critical thinking, problem-solving and social and emotional learning. Such aspects are harder to measure but will remain essential for the twenty-first century, in which artificial intelligence is rapidly becoming a dominant factor. A robust and meaningful societal dialogue involving educators and learners is vital for this shift.

86. In response to these challenges, the following holistic assessment approaches have shown clear value as being better aligned with the aims of education under international human rights law. They support inclusion, learners' engagement, adaptability, non-discrimination, dignity and well-being, while reinforcing teachers' professional judgment and autonomy.

¹³⁹ See submissions by Aisha Naz Ansari and Sohail Ahmad, European Democratic Education Community, Western Cape Forum for Intellectual Disability, Autism Goals and Campaña Latinoamericana por el Derecho a la Educación.

¹⁴⁰ See <https://www.unesco.org/gem-report/en/publication/equity-and-access>.

¹⁴¹ See submissions by Aisha Naz Ansari and Sohail Ahmad and Universidad Católica Andrés Bello.

¹⁴² See Sepúlveda and others, "Education and the production of inequalities".

¹⁴³ See submissions by Western Cape Forum for Intellectual Disability, Campaña Latinoamericana por el Derecho a la Educación, Jaydip Phukan and Society for Access to Quality Education.

¹⁴⁴ See Townsend and others, "What does the international literature say about assessment practice for equitable learning outcomes for educationally disadvantaged high school students?"; Sepúlveda and others, "Education and the production of inequalities"; and Kalai Selvan Arumugham, Kumaran Gengatharan and Intan Zalinda Bt Ahmad Zaini, "Understanding assessment paradigms: a conceptual comparison of traditional and holistic methods in education", *International Journal of Academic Research in Progressive Education and Development*, vol. 14, No. 3 (2025).

¹⁴⁵ See submissions by BANO Online English School, Lily Diaz, Children and Young People's Commissioner Scotland, Scottish Youth Parliament and Federal Parents' Network of Migrant Organizations for Education and Participation (Germany).

¹⁴⁶ See A/HRC/59/41/Add.1.

Portfolio-based and project-based assessment

87. Portfolio-based, project-based, narrative-based and performance-based assessments are better at capturing complex competencies such as creativity, collaboration, problem-solving, sustained effort and learning over time, as reported by practitioners.¹⁴⁷ These critical dimensions are obscured by time-limited, standardized tests, especially when learners progress at a different pace or along a different trajectory, or when learning happens with disruptions. New assessment models are needed to support deeper engagement and more meaningful recognition of learning by allowing learners to document their progress, reflect on learning processes and demonstrate competence through extended tasks.

88. For example, in Lithuania, teachers use portfolios, projects and tasks, particularly for complex competencies such as creativity, collaboration and civic engagement, emphasizing individual growth over ranking, and supporting motivation over competition.¹⁴⁸

89. In Colombia, assessment framework grants schools autonomy to design assessment systems incorporating portfolios, interdisciplinary projects and performance tasks.¹⁴⁹ An example is the non-punitive diagnostic *Quiero Ser, Quiero Saber* initiative, available in Indigenous languages and Colombian Sign Language to enhance accessibility. These assessment modalities are particularly important in contexts of social inequality, whereby rigid assessment has historically contributed to higher dropout rates and disengagement.¹⁵⁰

Self- and peer evaluation

90. Learners are rarely informed of assessment criteria or invited to reflect on their own learning.¹⁵¹ Self-assessment is often dismissed as unreliable, despite strong evidence of its pedagogical value and improved learning outcomes.¹⁵² Resistance to such assessment is driven less by pedagogical concerns than by accountability cultures that equate reliability with standardization and control, prioritizing competition and selection.

91. Self- and peer-evaluation practices are strongly associated with learner agency, metacognition and self-regulation, particularly when embedded with clear criteria and feedback support. Where implemented meaningfully, learners describe increased motivation, clearer understanding of learning goals and greater confidence in their ability to improve.

92. Examples in Georgia and Spain illustrate how self- and peer assessment can be embedded within continuous evaluation, fostering dialogue and learner engagement.¹⁵³

Inclusive and community-defined assessment practices

93. For Indigenous learners, migrants and students belonging to ethnic, religious or linguistic minorities, standardized assessment frameworks are often experienced as culturally alienating and misaligned with lived realities, leading into segregated pathways and contributing to disengagement, particularly where assessment functions as a mechanism of selection rather than agency. Pursuant to article 30 of the Convention on the Rights of the Child, assessment practices regarding these learners must respect their right to enjoy their own culture, to profess and practise their own religion or to use their own language.

94. Disability-led organizations report that in both high- and low-income settings, learners have limited opportunities for reassessment or movement back into mainstream learning. Once a learner is identified through special education assessment, expectations often shift from development and participation towards management and containment, affecting access to the curriculum, peer interaction and future educational options. Teachers working within

¹⁴⁷ See submissions by Derry Hannam and Universidad Católica Andrés Bello.

¹⁴⁸ See submission by Lithuania.

¹⁴⁹ See submission by Colombia.

¹⁵⁰ See submission by Coalición Colombiana por el Derecho a la Educación.

¹⁵¹ See submissions by Derry Hannam, Children and Young People's Commissioner Scotland, Aisha Naz Ansari and Sohail Ahmad and Universidad Católica Andrés Bello.

¹⁵² Heidi L. Andrade, "A critical review of research on student self-assessment", *Frontiers in Education*, vol. 4 (2019), 27 August 2019.

¹⁵³ See submissions by Georgia and Spain.

inclusive classrooms also report that these classification-driven systems constrain their ability to respond flexibly to individual needs.¹⁵⁴

95. These dynamics reflect broader governance failures to ensure adaptability and acceptability in education. States have the obligation to ensure an inclusive education system at all levels and the provision of reasonable accommodation and individualized support within general education.¹⁵⁵ Formally neutral rules are not enough: inclusive assessment methods need to focus on demonstrated individual progress, and must not be overshadowed by behavioural norms, language proficiency and perceived effort. Education systems that are truly inclusive for all would steer away from monolingual, text-heavy or time-limited assessment formats, which privilege dominant linguistic and cultural forms of expressions and disadvantage multilingual learners even where conceptual understanding is strong.

96. Assessment systems that accommodate community-defined success are more closely aligned with the aims of the right to education. In Colombia, assessment is shaped through territorial dialogues with students, teachers and communities to define locally relevant priorities and measures of success.¹⁵⁶ In Portugal, community involvement is shaping assessment practices that value intercultural competence, citizenship and social responsibility, despite ongoing pressure for accountability.¹⁵⁷

Continuous, formative and flexible approaches to assessment

97. Continuous, formative and flexible approaches help recognize social and emotional learning and complex competencies which standardized assessments usually fail to capture. Tools such as narrative feedback, observation and extended performance tasks provide more appropriate means to support creativity, cooperation, ethical reasoning and sustained effort.

98. In some countries assessment frameworks are described as moving away from ranking and high-stakes consequences toward those prioritizing professional judgment and individual progress. For example, in Portugal, teachers are expected to exercise professional judgment and adapt assessment to learners' contexts, while national monitoring tools are intended primarily for system-level reflection. Czechia and Spain report structural safeguards against standardization, including limits on rankings, accommodation for diversity and teacher discretion. In Ukraine, crisis conditions have accelerated assessment flexibility, with reduced reliance on high-stakes examinations and greater use of formative and diagnostic approaches, illustrating that adaptability becomes essential to sustaining the right to education in emergency contexts.¹⁵⁸

V. Conclusions

99. **The right to education is fully realized when the three essential elements that define its content – curriculum, pedagogy and assessment – are holistically aligned with each other and, more importantly, with the aims of education as defined by international human rights instruments.**

100. **States' obligations under the right to education extend beyond ensuring availability and access to guaranteeing that education is acceptable and adaptable and oriented towards human dignity, meaningful participation and mutual understanding.**

101. **The curriculum, pedagogy and assessment operate as a single system: together, they determine what knowledge is valued, how learners experience agency and belonging and whether education expands or constrains life chances. When coherently aligned with human rights obligations, these elements can advance meaningful learning, critical thinking, democratic citizenship and social cohesion. Otherwise, they may**

¹⁵⁴ See submissions by Autism Goals, Western Cape Forum for Intellectual Disability, Association of People with Disability and Inclusive Education Canada.

¹⁵⁵ Convention on the Rights of Persons with Disabilities, art. 24.

¹⁵⁶ See submission by Coalición Colombiana por el Derecho a la Educación.

¹⁵⁷ See submission by Portugal.

¹⁵⁸ See submissions by Czechia, Portugal, Spain and Ukrainian Parliament Commissioner for Human Rights.

function as structural mechanisms of exclusion, marginalization and inequality. The latter happens when assessment functions primarily for ranking or selection, when curricula are rigid or captured or when pedagogy prioritizes compliance over participation.

102. A core implication concerns the relationship between rights holders and duty bearers. Learners, especially children and youth, are not passive recipients of schooling, but rights holders whose participation is integral to the right to education. Their meaningful participation requires real influence over learning conditions, curriculum relevance and assessment practices. When learners experience education as something done to them rather than with them, motivation, trust and belonging erode. Likewise, teachers must be recognized as rights holders. Trust in teachers, supported by their professional autonomy and decent conditions of work, is the key to successful education systems.

VI. Recommendations

103. States should treat curriculum, pedagogy and assessment as elements of the right to education, defined by binding norms of international human rights law. The aims of education so defined must always guide curriculum development and content, pedagogical practices and assessment regimes. In particular, States should:

(a) Treat curricula, pedagogy and assessment as a holistic system grounded in internationally recognized aims of education, with education laws, policies and reform processes ensuring that changes in one domain demonstrate coherence with the others and advance inclusive, learner-centred outcomes;

(b) Safeguard curricular integrity, breadth, epistemic diversity and academic freedom, including safeguards against political, ideological or commercial capture and indoctrination, enforceable rules on conflicts of interest and procurement and independent academic reviews of curricular materials and digital platforms prior to scale-up;

(c) Institutionalize the meaningful participation of learners, especially children and youth, as rights holders, alongside teachers, parents and communities, Indigenous Peoples and national minorities, in co-designing curricula, pedagogy and assessment and in related decision-making, requiring student feedback mechanisms with real influence, self- and peer-assessment practices and representative structures beyond symbolic consultation;

(d) Ensure inclusivity for all across the education system, including through reasonable accommodation, qualified staff, assistive technologies, accessible formats, sensory-aware environments and recognition of prior and informal learning, and treat inclusivity in its wider sense as a systemic obligation, not an individual exception;

(e) Reorient assessment towards supporting learning and learners, phase out exclusive reliance on high-stakes standardized testing and replace it with diversified, formative and competency-based assessment approaches, including portfolios, performance tasks and project-based evaluation; and design assessment systems to trigger timely support and remediation rather than for selection, ranking or exclusion;

(f) Protect teacher agency and professional judgment, prioritize trust in teachers and their professional autonomy and invest in sustained pre- and in-service training in rights-based, multilingual, trauma-informed, learner-centred, participatory, inclusive and culturally sustaining pedagogy; and revise assessment systems so that they do not override pedagogical judgment or incentivize exclusionary practices;

(g) Ensure sustainable funding for education, including through multi-year financing, prioritizing fragile, low-resourced, low-performing and humanitarian contexts;

(h) Strengthen monitoring through human rights-based indicators; ensure that monitoring and evaluation systems move beyond narrow performance metrics to include qualitative indicators of participation, well-being, inclusion and teacher judgment; use monitoring data for system improvement and rights compliance, not for punitive sanctioning; and institutionalize human rights impact assessments of educational reforms;

(i) Establish enforceable protection mechanisms, such as confidential complaint channels, legal protections and remedies for learners, parents, teachers and civil society organizations to report pedagogical and assessment-related harms without fear of reprisal, ensuring accountability to rights holders.

104. International organizations play an essential role in supporting States to translate human rights standards into practice, They should:

(a) Provide normative guidance on human rights-based curricula, pedagogy and assessment;

(b) Prioritize integrated technical assistance and support reforms that link curriculum, pedagogy and assessment in a holistic manner with human rights standards rather than isolated pilot projects;

(c) Strengthen national capacity and build capacity in teacher education institutions, curriculum bodies and inspectorates, with the right to education as core;

(d) Fund and disseminate evidence, toolkits and standards, including methodologies for human rights impact assessments;

(e) Promote participation, meaningful engagement and co-creation of curricula, pedagogy and assessment with key stakeholders, with particular attention to marginalized communities, throughout the planning cycle;

(f) Align international cooperation and financing with human rights safeguards, including by conducting and publishing human rights impact assessments, disclosing procurement arrangements and requiring respect for teacher autonomy and learners' rights as conditions for funding.

105. Donors should:

(a) Condition funding of projects relating to curricula, pedagogy and assessment on human rights alignment and impact assessment and require that supported initiatives explicitly meet international human rights standards and are aligned with the aims of education;

(b) Avoid funding exclusionary models that reinforce excessive standardization or narrow performance metrics or use pedagogies that marginalize learners;

(c) Prioritize multi-year investments in teacher development, inclusive materials and assessment systems that enable remedial action;

(d) Support transparency and accountability and require public disclosure of project designs, procurement decisions and human rights impact assessments as funding prerequisites.

106. Private actors should:

(a) Ensure that their educational products and services respect non-discrimination, learner participation, cultural and linguistic relevance and the professional judgment and autonomy of teachers;

(b) Guarantee algorithmic and data transparency, disclose how pedagogical recommendations are generated and ensure data protection;

(c) Include in their products and services by design the participation of and co-creation by teachers, learners, parents, Indigenous Peoples and minorities.

107. Civil society and communities guarantee community co-design, independent monitoring and legal protections so that curricula, pedagogy and assessment are locally rooted, respect rights and are accountable. They should:

(a) Advocate for the institutionalized participation of learners, parents, Indigenous Peoples, national minorities and educators in decision-making on curricula, pedagogy and assessment at the school, local and national levels;

(b) Move beyond consultation and require that participatory processes grant communities influence over priorities, practices and review;

(c) Continue independent monitoring and request guaranteed access to the information needed to document exclusion, discrimination and harm arising from pedagogical and assessment practices;

(d) Advocate for stronger transparency by requiring States to publicly respond to community-monitoring findings with time-bound remedial plans and to publish outcomes of participatory reviews.
