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## Human Rights Council

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Agenda item 3

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

### **Written statement submitted by New Humanity, a non- governmental organization in general consultative status\***

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2026]

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\* Issued as received, in the language of submission only.

## **Aligning the Right to Education with Its Fundamental Purposes: A Pedagogical Clarification**

[1] This Written Statement is submitted by New Humanity of the Focolare Movement NGO in accordance with the mandate of the Special Rapporteur on the Right to Education regarding the report 'Curriculum, pedagogy and assessment at the service of the right to education'. The Report "will explore how education systems can equip learners with the skills, values and resilience needed to address and navigate these evolving realities. It will analyse how curriculum content, pedagogical practice and assessment models can be aligned with the aims of the right to education".

[2] Our organization proposes the incorporation of a pedagogical approach tailored to contemporary exigencies into the Special Rapporteur's report: service-learning (1) Consequently, the present written statement seeks to contribute to the formulation of a pedagogical framework wherein educational stakeholders (families, States, and academic institutions)—in conjunction with curricular content, pedagogical practices, and assessment models—are aligned with the fundamental aims of the right to education (2): "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"

[3] As a foundational premise, it is essential to acknowledge that the right to education embodies the complex and polyhedric nature inherent to the educational phenomenon itself. Consequently, an integral and relational approach to this right must be posited—one that preserves mutual recognition and equilibrium among the prerogatives of all legitimate educational stakeholders. From the perspective of international human rights law, interpretations that fail to adequately account for the rights of families are just as biased and fallacious as those seeking to exclude the role of the State from the educational sphere.

[4] The intrinsic complexity of the right to education merely reflects the complexity inherent to the educational phenomenon itself. In this regard, pedagogical doctrine has established that rather than conceptualizing a singular "educational action," it is more precise to speak of a multiplicity of "actions" that fulfill specific educational criteria. Ultimately, education constitutes the systematic transmission of forms of life that are deemed valuable.

[5] Among the criteria employed to evaluate whether the realization of the right to education complies with international human rights law, those established by the first Special Rapporteur are of paramount importance. These criteria were subsequently adopted in the General Comment on the right to education by the Committee on Economic, Social and Cultural Rights. Indeed, it is impossible to promote an integral and relational understanding of the right to education without affirming the framework conceptualized by K. Tomasevski as the "4As" schema:

- **Availability:** Requires the existence of a sufficient number of educational institutions and programmes. Consequently, the State is obligated to establish or adequately fund safe infrastructure, sanitation facilities, potable water, and qualified teaching staff, ensuring these baseline standards at least for compulsory primary education.
- **Accessibility:** The State must guarantee access to education in strict accordance with the principle of non-discrimination. This dimension encompasses both material and economic accessibility; therefore, education must be physically accessible—extending to rural and depopulated areas—as well as digitally available through technology. Furthermore, it must be free of charge at the primary level, with the progressive introduction of scholarships and other financial support mechanisms for post-primary education.
- **Acceptability:** The form and substance of education, including curricula and pedagogical methods, must be acceptable, culturally relevant, and of high quality. These elements must

be aligned with the core purposes of education: the holistic development of children and the fulfillment of families' educational convictions.

- **Adaptability:** Education must possess the requisite flexibility to adapt to the needs of transforming societies and communities, thereby responding effectively to the expectations of students from diverse sociocultural backgrounds

[6] While the primary two criteria possess a predominantly political and juridical nature, the subsequent dimensions—namely, acceptability and adaptability—represent pedagogical categories that necessitate profound and rigorous conceptual clarification concerning both curricular content and its “forms” of transmisión. Furthermore, they are intrinsically linked to the cultural dimension of the right to education and, consequently, to the recognition of educational pluralism. Indeed, within the pedagogical realm, the “form” of education matter. These clarifying criteria (3), or prerequisites for any action to be legitimately deemed educational, facilitate its comprehension through a human rights-based approach and the framework of children's rights:

- **Criterion of utility:** Dictates that learning experiences are deemed educational exclusively when the learner comprehends and effectively applies the acquired knowledge; that is, when the individual develops the teleological insight to discern the appropriate application or restriction of such knowledge.

- **Criterion of content:** Stipulates that learning processes are educational only when the knowledge imparted possesses intrinsic moral value or excellence. Consequently, the subject matter must neither undermine the ethical values of the individual or the community, nor contravene family convictions and the provisions established by the Convention on the Rights of the Child.

- **Criterion of form:** Concerns the modalities and conditions under which the teaching-learning process is conducted. In this regard, pedagogical actions must rigorously safeguard the autonomy and dignity of learners. Furthermore, this criterion relates to the educational media employed; thus, when analyzed holistically, it serves to determine the optimal degree of digital and technological integration for students.

- **Criterion of integrity or equilibrium:** Postulates that the educational process must address the multifaceted nature of the human person in a balanced manner. Processes categorized as educational must encompass all dimensions of the individual without detriment to any, thereby fostering harmony and modulation across diverse learning contexts. This equilibrium must likewise be maintained in the interface between physical and digital instructional modalities.

[7] In concluding this Written Statement regarding the conceptual elucidation of the right to education from its teleological (aims) dimension, it is pertinent to highlight three additional characteristics which, according to G. Biesta (4), underscore the intrinsic and distinctive nature of education as opposed to merely instrumental approaches. This entails examining the precise elements that constitute its pedagogical specificity and singularity. According to Biesta, every educational act must be intelligible, appropriate, and connectable. These prerequisites lack axiological neutrality, given that they embody ethical imperatives of truth, respect, and liberty. Consequently, any attempt at indoctrination violates the requirement of truth; manipulation transgresses the principle of liberty; and conditioning undermines the imperative of respect.

- **Intelligible:** Mandates that educational content be manifested transparently and accessibly. This encompasses the requisite condition of reasonableness or the imperative of truth, which applies equally to the knowledge presented and to the modality of its presentation. That is to say, the pedagogical form itself must remain thoroughly transparent and accessible.

- **Appropriate:** Dictates that the knowledge imparted must be cognitively accessible to students and free from undue complexity. Ultimately, this tenet concerns treating students with fundamental respect, acknowledging them as active subjects endowed with agency.
- **Connectable:** Requires that students possess the capacity to meaningfully synthesize and utilize the knowledge transmitted. Consequently, educational practices must account for the intrinsic interests of the learners to establish a resonant pedagogical connection, without being compromised by external or subjective agendas.

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New Humanity of the Focolare Movement, NGO(s) without consultative status, also share the views expressed in this statement.

1 See New Humanity's input at: <https://www.ohchr.org/en/calls-for-input/2026/call-inputs-curriculum-pedagogy-and-assessment-service-right-education>

2 See: Marples, R. (Ed.) (1999). *The aims of education*. Routledge.

3 Within the analytical tradition of the philosophy of education, the criteria formulated by the philosopher R. S. Peters to determine when an action may be characterized as educational are widely recognized. Within this line of inquiry, Professor Esteve Zarazaga has further developed this current by introducing an additional criterion to those originally posited by Peters. For these authors, an educational theory must not merely satisfy a set of formal requirements or contain specific structural elements; rather, it must simultaneously contribute to a significant conceptual clarification of pedagogical language.

4 Biesta, G. (2022). Por qué la forma de la enseñanza importa: Una defensa de la integridad de la educación y del trabajo de los profesores más allá de programas y buenas intenciones [Why the form of teaching matters: A defense of the integrity of education and the work of teachers beyond programs and good intentions]. *Revista de Educación*, 395, 13-34. DOI: 10.4438/1988-592X-RE-2022-395-519, pp. 26-27