

## INTERNATIONAL INSTRUMENTS

### Minorities and Indigenous

- **International Covenant on Economic, Social and Cultural Rights, 1966** (Articles 2 and 13; General Comments 13 and 20)
- **Convention on the Rights of the Child, 1989** (Articles 2, 28, 29 and 30; General Comment 11; Recommendations, 2003)
- **International Covenant on the Elimination of All Forms of Racial Discrimination, 1965** (Articles 5 and 7; General Recommendations 23, 27, 29 and 34)
- **International Covenant on Civil and Political Rights, 1966** (Article 27 and General Comment 23)
- **UNESCO Convention against Discrimination in Education, 1960** (Articles 1 to 5)
- **ILO Convention 169 Indigenous and Tribal Peoples, 1989** (Articles 1, 7, 27-31)
- **African Charter on Human and People's Rights, 1981** (Articles 2 and 17)
- **African Charter on the Rights and Welfare of the Child, 1990** (Articles 3 and 11)
- **African Youth Charter, 2006** (Articles 2 and 13)
- **European Convention for the Protection of Human Right and Fundamental Freedoms, 1948, Optional Protocol 1, 1952 and Optional Protocol 12, 2000** (Article 14; Article 2 of the First Protocol and Article 1 of the Twelfth Protocol)
- **European Social Charter (revised), 1996** (Articles 7, 10 and 17, and Part V Article E)
- **Charter on Fundamental Rights of the European Union, 2000** (Articles 14, 21 and 22)
- **European Charter for Regional or Minority Languages , 1992** (Articles 7 and 8)
- **Framework Convention for the Protection of National Minorities, 1995** (Articles 12, 13 and 14)
- **Additional Protocol to the American Convention on Human Rights, Protocol of San Salvador, 1998** (Articles 3, 13 and 16)

#### Non-binding:

- **Arab Charter on Human Rights, 2004** (Articles 3 and 41)
- **ASEAN Human Rights Declaration, 2011** (Articles 2 and 31)

- **Declaration on the Rights of Indigenous Peoples, 2007** (Articles 14, 15, 17 and 21)
- **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992** (Article 4)
- **UNESCO Universal Declaration on Cultural Diversity (2001)** (Article 5)
- **European Parliament Resolution 2017/2206(INI)**

## International Covenant on Economic, Social and Cultural Rights, 1966

### Article 2

1. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

### Article 13

1. The States Parties to the present Covenant recognise the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognise that, with a view to achieving the full realisation of this right:

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

➤ [Full text](#)

### **Committee on Economic, Social and Cultural Rights: General Comments**

- [General Comment 13](#): the Right to Education, 1999, (Paragraphs 31 and 50).
- [General Comment 20](#): Non-discrimination in economic, social and cultural rights , 2009, (Paragraphs 10(b), 19, 21, 22 and 24)

## Convention on the Rights of the Child, 1989

### Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

### Article 28

1. States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;

### Article 29

1. States Parties agree that the education of the child shall be directed to:

- (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;

### Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

➤ [Full text](#)

### Committee on the Rights of the Child: General Comments

- [General Comment 11](#): Indigenous children and their rights under the Convention, 2009, (Paragraphs 56 to 63)

### Committee on the Rights of the Child: Recommendations

- [Day of General Discussion on the Rights of Indigenous Children](#), 2003, (Paragraph 19)

## International Convention on the Elimination of Racial Discrimination, 1965

### Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(e) Economic, social and cultural rights, in particular:

(v) The right to education and training;

### Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

➤ [Full text](#)

### Committee on the Elimination of Racial Discrimination: General Recommendations

- [General Recommendation 23](#) on the rights of indigenous peoples, 1997, reaffirms that indigenous peoples fall under the scope of ICERD and that all provisions apply to indigenous peoples (Paragraph 4)
- [General Recommendation 27](#) on discrimination against Roma, 2000, has a specific section on measures in the field of education (Paragraphs 17 to 26).
- [General Recommendation 29](#) on article 1, paragraph 1, of the Convention (Descent), 2002, has a specific section on the right to education (Paragraphs rr to vv).
- [General Recommendation 34](#) on racial discrimination against people of African descent, 2011, has a section on specific measures in the field of education (Paragraphs 61 to 66).

## International Covenant on Civil and Political Rights, 1966

### Article 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

### Human Rights Committee: General Comments

- [General Comment 23](#): The rights of minorities (Article 27), 1994, (Paragraphs 1-9)

### Article 1

1. For the purposes of this Convention, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- (a) Of depriving any person or group of persons of access to education of any type or at any level;
- (b) Of limiting any person or group of persons to education of an inferior standard;
- (c) Subject to the provisions of Article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- (d) Of inflicting on any person or group of persons conditions which are in-compatible with the dignity of man.

2. For the purposes of this Convention, the term 'education' refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

### Article 2

When permitted in a State, the following situations shall not be deemed to constitute discrimination;

(b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level ;

(c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

### Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries ;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

#### **Article 4**

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

(a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;

#### **Article 5**

1. The States Parties to this Convention agree that:

(c) It is essential to recognise the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

(i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;

(ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and

(iii) That attendance at such schools is optional.

➤ [Full text](#)

### **ILO Convention 169: Indigenous and Tribal Peoples Convention, 1989**

#### **Article 1**

(a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

(b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

2. Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.

#### **Article 7**

2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall economic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.

#### **Article 26**

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

### **Article 27**

1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.
2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.
3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.

### **Article 28**

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.
2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.
3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

### **Article 29**

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

### **Article 30**

1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.
2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

### **Article 31**

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

➤ [Full text](#)

## **African Charter on Human and People's Rights, 1981**

### **Article 2**

Every individual shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

## Article 17

1. Every individual shall have the right to education.

➤ [Full text](#)

## African Charter on the Rights and Welfare of the Child, 1990

### Article 3 – Non-Discrimination

Every child shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in this Charter irrespective of the child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

### Article 11 - Education

1. Every child shall have the right to an education.

2. The education of the child shall be directed to:

(d) the preparation of the child for responsible life in a free society, in the spirit of understanding tolerance, dialogue, mutual respect and friendship among all peoples ethnic, tribal and religious groups;

3. States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realisation of this right and shall in particular:

(e) take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.

➤ [Full text](#)

## African Youth Charter, 2006

### Article 2: Non-discrimination

1. Every young person shall be entitled to the enjoyments of the rights and freedoms recognised and guaranteed in this Charter irrespective of their race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.

3. State Parties shall recognise the rights of Young people from ethnic, religious and linguistic marginalised groups or youth of indigenous origin, to enjoy their own culture, freely practice their own religion or to use their own language in community with other members of their group.

### Article 13 - Education and Skills Development

1. Every young person shall have the right to education of good quality.

3. The education of young people shall be directed to:

c) Preparing young people for responsible lives in free societies that promote peace, understanding, tolerance, dialogue, mutual respect and friendship among all nations and across all groupings of people;

d) The preservation and strengthening of positive African morals, traditional values and cultures and the development of national and African identity and pride;



e) Revitalise vocational education and training relevant to current and prospective employment opportunities and expand access by developing centres in rural and remote areas;

➤ [Full text](#)

## European Convention for the Protection of Human Rights and Fundamental Freedoms, 1948; Protocol 1, 1952; Protocol 12, 2000

### Article 14

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

### Optional Protocol 1

#### Article 2 - Right to education

No person shall be denied the right to education...

### Optional Protocol 12

#### Article 1 – General prohibition of discrimination

1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

➤ [Full text](#)

## European Social Charter (revised), 1996

### Article 7 – The right of children and young persons to protection

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

1. to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;
3. to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;
4. to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;
6. to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;

### Article 10 - the right to vocational training

1. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary, the technical and vocational training of all persons, including the handicapped, in consultation with employers' and workers' organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude;

2. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls in their various employments;

3. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary:

a. adequate and readily available training facilities for adult workers;

b. special facilities for the re-training of adult workers needed as a result of technological development or new trends in employment;

4. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary, special measures for the retraining and reintegration of the long-term unemployed;

5. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to encourage the full utilisation of the facilities provided by appropriate measures such as:

a. reducing or abolishing any fees or charges;

b. granting financial assistance in appropriate cases;

c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;

d. ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.

#### **Article 17 – The Right of Children and young persons to social, legal and economic protection**

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

1. a. to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;

2. (...) to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

#### **Part V**

#### **Article E – Non-discrimination**

The enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national extraction or social origin, health, association with a national minority, birth or other status.

➤ [Full text](#)

## European Charter on Fundamental Freedoms, 2000

### Article 14 - Right to education

1. Everyone has the right to education and to have access to vocational and continuing training.
2. This right includes the possibility to receive free compulsory education.
3. The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.

### Article 21 - Non-discrimination

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited.

### Article 22 - Cultural, religious and linguistic diversity

The Union shall respect cultural, religious and linguistic diversity.

➤ [Full text](#)

## European Charter for Regional or Minority Languages, 1992

### Article 7

1. The Parties undertake, in respect of regional or minority languages, to base their policies, legislation and practice on the following objectives and principles:

(f) the teaching and study of regional and minority languages at all appropriate stages.

### Article 8 – Education

1. With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a.i. to make available pre-school education in the relevant regional or minority languages; or
  - ii. to make available a substantial part of pre-school education in the relevant regional or minority languages; or
  - iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
  - iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;
- b. i. to make available primary education in the relevant regional or minority languages; or
  - ii. to make available a substantial part of primary education in the relevant regional or minority languages; or

- iii. to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
  - iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
- c. i. to make available secondary education in the relevant regional or minority languages; or
  - ii. to make available a substantial part of secondary education in the relevant regional or minority languages; or
  - iii. to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
  - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- d. i. to make available technical and vocational education in the relevant regional or minority languages; or
  - ii. to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
  - iii. to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
  - iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e. i. to make available university and other higher education in regional or minority languages; or
  - ii. to provide facilities for the study of these languages as university and higher education subjects; or
  - iii. if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;
- f. i. to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or
  - ii. to offer such languages as subjects of adult and continuing education; or
  - iii. if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;
- g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;
  - h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
  - i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.
2. With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

➤ [Full text](#)

## Framework Convention for the Protection of National Minorities, 1995

### Article 12

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.
2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.
3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

### Article 13

1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.
2. The exercise of this right shall not entail any financial obligation for the Parties.

### Article 14

1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.
2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.
3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

➤ [Full text](#)

## Additional Protocol to the American Convention on Human Rights, Protocol of San Salvador, 1988

### Article 3 - Obligation of non-discrimination

The State Parties to this Protocol undertake to guarantee the exercise of the rights set forth herein without discrimination of any kind for reasons related to race, colour, sex, language, religion, political or other opinions, national or social origin, economic status, birth or any other social condition.

### Article 13 - Right to Education

1. Everyone has the right to education.
2. The States Parties to this Protocol agree that education should be directed towards the full development of the human personality and human dignity and should strengthen respect for human rights, ideological pluralism, fundamental freedoms, justice and peace. They further agree that education ought to enable everyone to participate effectively in a democratic and pluralistic society and achieve a decent existence and should foster understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups and promote activities for the maintenance of peace.

## Article 16 - Rights of Children

Every child has the right to free and compulsory education, at least in the elementary phase, and to continue his training at higher levels of the educational system.

➤ [Full text](#)

## Arab Charter on Human Rights, 2004

### Article 3

1. Each State Party to the present Charter undertakes to ensure to all individuals within its territory and subject to its jurisdiction the right to enjoy all the rights and freedoms recognised herein, without any distinction on grounds of race, colour, sex, language, religion, opinion, thought, national or social origin, property, birth or physical or mental disability.

### Article 41

1. The eradication of illiteracy is a binding obligation upon the State and everyone has the right to education.
2. The States parties shall guarantee their citizens free education at least throughout the primary and basic levels. All forms and levels of primary education shall be compulsory and accessible to all without discrimination of any kind.
3. The States parties shall take appropriate measures in all domains to ensure partnership between men and women with a view to achieving national development goals.
4. The States parties shall guarantee to provide education directed to the full development of the human person and to strengthening respect for human rights and fundamental freedoms.
5. The States parties shall endeavour to incorporate the principles of human rights and fundamental freedoms into formal and informal education curricula and educational and training programmes.
6. The States parties shall guarantee the establishment of the mechanisms necessary to provide on-going education for every citizen and shall develop national plans for adult education.

➤ [Full text](#)

## ASEAN Human Rights Declaration, 2012

### Article 2

Every person is entitled to the rights and freedoms set forth herein, without distinction of any kind, such as race, gender, age, language, religion, political or other opinion, national or social origin, economic status, birth, disability or other status.

### Article 31

- (1) Every person has the right to education.
- (2) Primary education shall be compulsory and made available free to all. Secondary education in its different forms shall be available and accessible to all through every appropriate means. Technical and vocational education shall be made generally available. Higher education shall be equally accessible to all on the basis of merit.

(3) Education shall be directed to the full development of the human personality and the sense of his or her dignity. Education shall strengthen the respect for human rights and fundamental freedoms in ASEAN Member States. Furthermore, education shall enable all persons to participate effectively in their respective societies, promote understanding, tolerance and friendship among all nations, racial and religious groups, and enhance the activities of ASEAN for the maintenance of peace.

➤ [Full text](#)

## Declaration on the Rights of Indigenous Peoples, 2007

### Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

### Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

### Article 17

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment

### Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

➤ [Full text](#)

## Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992

### Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.
2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.
3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.
4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.
5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

➤ [Full text](#)

## UNESCO Universal Declaration on Cultural Diversity, 2001

### Article 5 – Cultural rights as an enabling environment for cultural diversity

Cultural rights are an integral part of human rights, which are universal, indivisible and interdependent. The flourishing of creative diversity requires the full implementation of cultural rights as defined in Article 27 of the Universal Declaration of Human Rights and in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights. All persons have therefore the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; **all persons are entitled to quality education and training that fully respect their cultural identity**; and all persons have the right to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.

**The Member States commit themselves to taking appropriate steps to disseminate widely the "UNESCO Universal Declaration on Cultural Diversity", in particular by cooperating with a view to achieving the following objectives:**

6. Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the youngest age.
7. Promoting through education an awareness of the positive value of cultural diversity and improving to this end both curriculum design and teacher education.
8. Incorporating, where appropriate, traditional pedagogies into the education process with a view to preserving and making full use of culturally appropriate methods of communication and transmission of knowledge.

➤ [Full text](#)



Article 53. Stresses the high relevance of the Sustainable Development Goals (SDGs) with regard to indigenous peoples, notably SDG 2 (zero hunger), 4.5 (access to education) and 5 (gender equality); reiterates that indigenous peoples around the world suffer disproportionately from violations of human rights, crime, racism, violence, exploitation of natural resources, health problems, and high rates of poverty, accounting for 15% of those living in poverty while representing only 5% of the world's population; emphasises that full and thorough protection must be given to indigenous leaders and human rights defenders who speak out against injustices;

Article 58. Calls on all states to commit to ensuring that indigenous peoples have genuine access to health, education, employment and economic opportunities; urges all states to promote the inclusion of intercultural public policies and indigenous languages, history and culture in their school programmes or to offer supplementary extracurricular classes to preserve, revitalise and promote indigenous peoples' culture at both national and international level; considers that the development of initiatives to raise awareness among civil society, the general public and the media of the importance of respect for the rights, beliefs and values of indigenous peoples could contribute to tackling prejudice and misinformation;