Advance edited version

Distr.: General
16 June 2025

Original: English

Human Rights Council
Fifty-ninth session
16 June–11 July 2025
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

The right to be safe in education

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

Summary

The present report is 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 the right to be safe in education, as part of the right to education.

The Special Rapporteur proposes to define the right to be safe in education as the right of learners, educators and non-teaching staff to be protected from any violation of their physical, sexual or psychoemotional integrity, as well as from practices that might harm or endanger healthy relationships within and outside the educational environment and the free expression of identities, in all educational spaces and processes, including digital ones. Safety entails every person being able to enjoy and exercise their human rights in all aspects of education, without discrimination, fear or reprisal.

The Special Rapporteur makes a number of recommendations to address challenges to safety in education from a right to education perspective. She also recommends an all-encompassing approach.

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

Contents

I. Introduction

1. In the present report, submitted pursuant to Human Rights Council resolutions 8/4 and 53/7, the right to be safe in education is addressed as a critical element of the right to education and safety is defined in a comprehensive manner, encompassing physical, psychoemotional, social and digital safety.

2. There is broad consensus that safety in educational settings is a fundamental precondition for realizing the right to education, and that every learner should have the opportunity to thrive in an environment free from violence, discrimination and exclusion.

3. There are many threats to safety, however, from interpersonal and group rivalries to systemic and structural inequalities reflecting prejudices and discrimination in the wider society; and from the exceptional circumstances of armed conflicts, environmental disasters and gang violence to unsafe infrastructure, services and facilities. Learners, educators and non-teaching staff are affected.

4. Successive Special Rapporteurs on the right to education have led or joined communications or press releases addressing many aspects of safety in education. The most recent examples addressed such topics as the dramatic situation in the Sudan;[1] "scholasticide" in the Gaza Strip[2] and heavily armed forces storming into schools run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East while classes were in session;[3] the destruction of schools in Pakistan[4] and Ukraine;[5] gang violence in Haiti;[6] attacks by armed groups in Colombia[7] and Paraguay;[8] the closure of schools in the Democratic Republic of the Congo due to trafficking for sexual exploitation and forced recruitment by armed groups or security forces;[9] and the arrest or detention of, and other forms of reprisals against, students and educational staff for exercising their academic freedom in the United States of America.[10] Attacks on educational institutions may be carried out for political, military, ideological, sectarian, ethnic, religious or criminal reasons, and they may target students, educators or the educational institutions themselves.[11]

5. The list above cannot fully encapsulate either the multifaceted nature or the seriousness of safety in education. Recent comprehensive global data on violent incidents in education revealed an increase of nearly 20 per cent in 2022–2023, compared with the two previous years.[12] Data from the United Nations Children's Fund show that, in many countries, a high percentage of young people between the ages of 13 and 15 experience bullying.[13] Children are affected worldwide, but some are affected disproportionately, particularly girls, children with disabilities, refugee and displaced children, and those living in poverty, identifying as lesbian, gay, bisexual, transgender or intersex, reporting chronic illness or belonging to an ethnic minority, Indigenous, religious or national group. Their experiences are often underrepresented in data collection and reporting. Gender-based and sexual violence remains pervasive in educational settings. A study in 15 European countries revealed that at least two of three female respondents had experienced gender-based violence

[1] See www.ohchr.org/en/press-releases/2025/04/sudan-faces-worsening-humanitarian-catastrophe-famine-and-conflict-escalate.
[2] See www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza.
[3] See www.ohchr.org/en/press-releases/2025/05/assault-children-un-experts-condemn-renewed-attacks-unrwa-schools-gaza-and.
[4] PAK 7/2024 (Government response). All communications mentioned in the present report are available from https://spcommreports.ohchr.org/Tmsearch/TMDocuments.
[5] RUS 18/2022.
[6] HTI 1/2024.
[7] COL 4/2024 (Government response).
[8] PRY 2/2024 (Government response).
[9] COD 6/2024.
[10] USA 12/2024 (Government response) and OTH 71/2024.
[11] Contribution from Save the Children International, p. 1.
[12] Contribution from Global Coalition to Protect Education from Attack, p. 5.
[13] See https://data.unicef.org/topic/child-protection/violence/bullying and contributions from the Office of the United Nations High Commissioner for Refugees, p. 1., and Cyprus, p. 6.

in higher education institutions.[14] In Nigeria, for example, it was reported that one in three girls had experienced sexual harassment and violence on their way to or within schools.[15] In other countries, national human rights institutions deplore a societal failure to protect children from all forms of violence.[16]

6. Multiple actors have established important guidelines regarding safety in education, including the Safe Schools Declaration and the Comprehensive School Safety Framework 2022–2030, calling for a holistic approach to safety in education (encompassing all hazards, all schools, all contexts and all duty-bearers and other important actors).[17] Building on the Declaration and the Framework, which the Special Rapporteur recommends that everyone endorse, the present report is premised on understanding the right to be safe in education as inherent to the right to education. Focusing on situations outside armed conflict and other emergencies, the Special Rapporteur outlines the contours of that right and further clarifies States' obligations in this regard. The present report will be complemented by a second report presenting a policy paper on the right to education in armed conflict, which will be submitted to the General Assembly in 2025.

7. The call for input to the present report attracted more than 80 contributions. Both these and a series of online discussions provided invaluable information. The Special Rapporteur warmly thanks all contributors.[18]

II. Legal bases of the right to be safe in education

8. The right to be safe in education as an integral element of the right to education is firmly grounded in the provisions of international human rights law. Numerous provisions relating to the right to education, such as article 26 of the Universal Declaration of Human Rights, article 13 of the International Covenant on Economic, Social and Cultural Rights and article 29 of the Convention on the Rights of the Child, specify that education shall be directed to the full development of the human personality and dignity and shall strengthen respect for human rights and fundamental freedoms.

9. The Committee on the Rights of the Child stressed the means by which the right to education was to be promoted, including curriculum content, educational processes, pedagogical methods and the environment within which education takes place, whether it be the school, home, or elsewhere. In paragraph 8 of general comment No. 1 (2001), the Committee stated that "education must be provided in a way that respects the inherent dignity of the child and enables the child to express his or her views freely in accordance with article 12 (1) and to participate in school life"; it also argued that non-violence should be promoted in schools and corporal punishment prohibited. In addition, according to article 28 (2) of the Convention, school discipline shall be administered in a manner consistent with the child's human dignity and in conformity with the Convention.

10. In paragraph 6 of general comment No. 13 (1999), the Committee on Economic, Social and Cultural Rights underlined that education must be within safe physical reach. Under target 4.a of the Sustainable Development Goals, education facilities are to provide safe, non-violent, inclusive and effective learning environments for all. Paragraph 11 of the Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4 highlighted the need for education to be delivered in safe, supportive and secure learning environments free from violence. In its Recommendation on Education for Peace and Human Rights, International Understanding, Cooperation, Fundamental Freedoms, Global Citizenship and Sustainable Development of 2023, the United Nations

[14] Contribution from the European Students' Union, p. 3.

[15] Contribution from the National Human Rights Commission Nigeria, p. 4.

[16] Contribution from the Ombudsman for Children in Sweden, p. 5.

[17] Contribution from the Global Alliance for Disaster Risk Reduction and Resilience in the Education Sector, p. 3; Comprehensive School Safety Framework 2022–2030, p. 2; and contributions 1 and 2 from the United Nations Educational, Scientific and Cultural Organization (UNESCO).

[18] The present report is based on an analysis of the information contained in the responses received. The input and contributions are available on the website of the Special Rapporteur on the right to education.

Educational, Scientific and Cultural Organization highlights the importance of safe and inclusive learning environments as a foundation for fostering peace, human rights and sustainable development.

11. The right to safety in education is also grounded in provisions protecting the physical and mental integrity of the person, such as those relating to the right to life, the prohibition of torture or cruel, inhuman or degrading treatment or punishment, the right to privacy and protection from attacks against one's honour or reputation, enshrined in such texts as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 3 of the Convention on the Rights of the Child outlines specific requirements for States to ensure that children have the protection and care necessary for their well-being, taking into account the rights and duties of parents or guardians. Furthermore, States should ensure that the institutions, services and facilities responsible for the care or protection of children conform with the standards established by competent authorities, particularly in the areas of safety, health, the number and suitability of staff and competent supervision. Article 19 contains calls for the protection of the child while in the care of parents, legal guardians or any other persons having the care of the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. These requirements apply equally to public and private educational settings.

12. Other rights, such as the right to health, including mental health, the right to food and the right to water and sanitation, entail specific requirements for the safety of learners and staff in educational institutions. The Special Rapporteur notes that, in accordance with article 7 (b) of the International Covenant on Economic, Social and Cultural Rights, safe and healthy working conditions are part of everyone's right to the enjoyment of just and favourable conditions of work.

13. In line with article 2 of the International Covenant on Economic, Social and Cultural Rights, States are required to take steps to the maximum of their available resources, with a view to progressively achieving the full realization of the rights enshrined in the Covenant. A progressive approach cannot be applied to all aspects of the right to education, however, in particular the right to be safe in education, the legal basis of which is also grounded in other instruments, such as the International Covenant on Civil and Political Rights. The Special Rapporteur further recalls the trilogy of obligations (respect, protect and fulfil) and notes that specific measures must be implemented without delay, such as legislative measures to prohibit corporal punishment.

14. States' obligations to establish the "minimum educational standards" to which private educational institutions must conform are set out in article 13 (3) and (4) of the International Covenant on Economic, Social and Cultural Rights. The requirement whereby States must also maintain a transparent and effective system to monitor such standards is set out in paragraph 54 of general comment No. 13 (1999) and the standards are further developed in guiding principle 54 of the Abidjan Principles on the human rights obligations of States to provide public education and to regulate private involvement in education.

15. While learners retain their human rights when entering educational institutions, such rights as the freedom to manifest one's religion or beliefs, the right of peaceful assembly and the right to freedom of association, may be restricted in the name of safety under the International Covenant on Civil and Political Rights. Public health and the rights of others can also be used as legitimate grounds on which to restrict, among others, freedom of expression. Nevertheless, in such circumstances, the strict conditions of legality, necessity and proportionality to a legitimate aim in a democratic society apply.

16. These conditions are especially important given the challenges associated with achieving an appropriate balance between necessary security measures and human rights in non-intimidating learning environments. Sometimes, paradoxically, safety measures adopted by States and schools may jeopardize rather than increase safety. There is an array of opinions on how best to ensure safety, on the ways in which discipline should be ensured and on the balance needed between prevention and repression. Nevertheless, measures must be based on both the need to respect human rights within education institutions and the strict

framework governing the imposition of any limitations in the name of safety. It is vital that, in accordance with article 4 of the International Covenant on Economic, Social and Cultural Rights, limitations be compatible with the nature of rights and imposed solely for the purpose of promoting general welfare in a democratic society.

17. The Special Rapporteur notes the importance of the Safe Schools Declaration for school safety in both conflict and non-conflict settings, with implementation in several countries providing strong models on which to build.[19]

III. A comprehensive understanding of the contours of the right to be safe in education

A. Defining the educational space

18. States must ensure everyone's right to be safe in education in all formal, non-formal and informal educational settings, including in the context of homeschooling, and at all levels of education, from early childhood care and education to higher education and education throughout life; this applies to both general education and vocational training, such as work-study programmes, in which specific safety issues may arise.

19. Learners should enjoy their right to be safe in education not only during formal classes, but also, among others, on campuses, playgrounds and school buses, in school restaurants, libraries and clubs, and in healthcare settings, washrooms and changing rooms. Their right to be safe should be respected and protected during school camps, sports events and outside activities. The right to be safe of learners, educators and non-teaching staff also applies to family members accompanying learners during school activities.

20. Safety must be ensured on the way to and from educational institutions and in the surrounding area. Schools should be established only in locations that are safe.

21. Educational safety extends to the digital environment, given that physical violence and bullying are often perpetrated alongside bullying in the digital space.

22. As digitalization expands, a growing number of academics and students are experiencing "transnational repression", which denotes human rights violations committed by States outside their own territorial jurisdiction in order to intimidate and silence dissent, criticism or human rights advocacy among the diaspora and exiles.[20]

23. Many issues of compromised safety in education relate to societal problems. It is therefore essential to simultaneously pursue action to address systemic discrimination, violence, including gender-based violence, and restriction of democratic space both inside and outside educational settings.

B. Various dimensions of safety in education

24. As a multidimensional phenomenon, safety requires an all-hazards approach, such as that outlined in the Comprehensive School Safety Framework, which has been endorsed by more than 70 States to date. Hazards include: (a) climate and environmental disasters, including extreme temperatures, earthquakes and climate change impacts; (b) technological hazards, including nuclear hazards, power shortages and online security; (c) health hazards, including pandemics, epidemics, unsafe water and air pollution; (d) conflict and violence, including attacks on schools, online harm and bullying; and (e) everyday hazards, including unsafe playgrounds and routes to school.[21]

[19] Contribution from Save the Children International, p. 5.
[20] A/HRC/56/53, para. 25.
[21] Contribution from the Global Alliance for Disaster Risk Reduction and Resilience in the Education Sector, p. 1.

25. School safety means protecting the health and well-being of all school users from all hazards. It includes not being exposed to, and being protected from, danger, death, injury and harm. It includes the location, design and construction of school sites and facilities; the management of school facilities; risk reduction and resilience training for staff and students; and the provision of psychosocial support.[22] Hazards encompass unpredictable events, such as natural disasters, as well as national policies and routine action and decisions taken by national authorities, educational institutions and staff; professional practices; individual behaviours; and action or inaction to combat these hazards.

26. The physical, psychoemotional, social and digital dimensions of safety are intertwined. In its resolution 77/201, the General Assembly noted that, "bullying, including cyberbullying, can take both direct and indirect forms, from acts of physical, verbal, sexual and relational violence or aggression to social exclusion, including from peer to peer, as well as from acts of discrimination, which can inflict physical, psychological and social harm".

1. Physical safety

27. Physical safety refers to protection against all hazards that might harm or endanger individuals' physical integrity, including sexual integrity. This includes protection against corporal punishment; injury; murder; school-based violence, including shootings and knife attacks; arrest and detention; being kidnapped or forcefully enrolled into armed groups or the military; sexual abuse, including rape, "sex for marks" extortion by teachers, and other forms of gender-based violence; body searches and surveillance; bullying; and, in some cases, severe overcrowding.

28. The physical safety of learners and staff in educational institutions is also jeopardized by poor infrastructure causing accidents or health issues, such as crumbling rooves; dangerous pit toilets; nearby toxic waste storage sites; toxic substances, such as asbestos, in buildings; poor air quality; a lack of clean drinking water and sanitation; unhealthy or insufficient food made available by or in schools; unsafe transportation; and a lack of appropriate services, such as medical services, in schools.

29. The right to safety in education may be undermined by poorly implemented education-related laws and insufficient numbers of schools, leading to children being left on their own,[23] begging or hawking in the streets, or becoming victims of child labour or trafficking.[24]

2. Psychoemotional safety

30. Psychoemotional safety refers to protection against all hazards that might harm or endanger individuals' mental and psychological integrity. Psychoemotional and physical safety are conjoined, given that harm to bodily integrity is also a source of psychological trauma, and vice versa.

31. Rising cases of stress, anxiety, depression and trauma among students in many parts of the world, particularly in the wake of the coronavirus disease (COVID-19) pandemic, are of concern. Suicides among students are a worrying reality.

32. Mental health services are critical. They allow students to deal with anxiety, bullying and academic pressure. Mental health services alone are insufficient, however, because they do not address the root causes of problems. Moreover, mental health issues should not be conflated with students' capacity to contest established values and rules. As stated by the Committee on the Rights of the Child, when children are unable to develop according to their evolving capacities and teaching is primarily focused on accumulation of knowledge, this prompts competition and leads to an excessive burden of work on children, which may seriously hamper the harmonious development of the child to the fullest potential of his or her abilities and talents.[25] Stressors related to academic demands and extreme competition, bullying, violence and discrimination, blatant disregard for cultural identities and specific

[22] Comprehensive School Safety Framework 2022–2030, p. 24.
[23] Contribution from the National Consultative Commission on Human Rights, France, p. 1.
[24] Contribution from the National Human Rights Commission Nigeria, p. 6.
[25] Committee on the Rights of the Child, general comment No. 1 (2001), para. 12.

needs, financial insecurity and poverty can all undermine psychoemotional safety, which must be protected at all times.

33. While many States reported on their mental health services in schools, those recognizing shortfalls were rare. Lithuania, for example, identified an insufficient number of psychologists.[26] The same issue was also addressed by the Special Rapporteur during her visit to Finland.[27]

3. Social safety

34. Social safety refers to protection against all hazards that might harm or endanger healthy relationships within and outside the educational environment, whether offline or online.[28] Such potentially harmful practices include segregation and discrimination,[29] assigning people to specific groups and therefore pre-determined futures, forced assimilation and attacks against cultural identities and heritage. Safety in education includes the right of people to feel and be safe in their identities. When expressions of collective identity, history and language in educational spheres are abusively restricted or banned, this creates an atmosphere of fear and censorship. While the environment in which education is embedded influences schools, it is equally true that well-managed rights-oriented schools can preclude or at least mitigate such violence.

35. Social and psychoemotional safety can both be ensured by appreciating diversity at all levels and providing a truly inclusive and respectful education for all. For example, neurodivergence is regrettably still not well understood in many places. In general, only learners with blatantly visible disabilities are identified, and even they are seldom adequately provided for. Slower writers in primary school can be deprived of the break times needed for rest, eating and play and berated in front of their peers.[30] Left-handed students are still harassed in some places.

4. Digital safety

36. Digital safety entails protecting the physical, psychoemotional and social safety of individuals from hazards originating or unfolding in the digital space; it includes the protection of personal data and protection from inappropriate content, within the framework of the rights of the child and depending on their age and maturity, particularly their rights to freedom of expression and to information. This is vital, given the increasing use of digital technologies in education, including artificial intelligence, without sufficient safeguards and the phenomenon of cyberattacks.

37. In past reports, the Special Rapporteur and her predecessors have repeatedly expressed concern about abuse, exploitation and surveillance, which are made exponentially easier to perpetrate by digital technologies in education, including bullying, sexual exploitation or abuse, exploitation of data, and abusive restrictions and attacks against academic freedom, freedom of expression and the right to non-discrimination.[31]

38. Among the many tools causing concern, facial recognition is one of the most intrusive because it enables the capture, extraction, storage and sharing of individuals' biometric facial data; some technologies also calibrate attention, mood and emotions. This has far-reaching implications, exposing intimate aspects of students' lives and creating a chilling and intimidating effect on learners and teachers.[32] Moreover, these technologies often misrepresent behaviours by not accounting for cultural diversity in ways of expression, further entrenching existing inequities in the education system. The Special Rapporteur has already recommended that facial recognition tools be banned in educational institutions. She

[26] Contribution from Lithuania, pp. 4 and 5.
[27] A/HRC/56/58/Add.1, paras. 63–65.
[28] Contributions from the High Commission for Human Rights of Iraq, p. 2, and the National Human Rights Commission Nigeria, p. 3.
[29] Contributions from the Human Rights Defender's Office of Armenia, p. 3.
[30] Contribution from Riverstone Village, p. 3.
[31] A/HRC/50/32, A/HRC/56/58 and A/79/520.
[32] Contribution from Privacy International, pp. 3 and 4.

welcomes, for example, the rejection by the Luxembourg education system of the idea of introducing security measures deemed invasive in schools, such as facial recognition or mass surveillance systems. The aim is a school environment in which everyone feels respected and free to concentrate on their learning, without feeling watched or stigmatized.[33]

39. As the Special Rapporteur has stressed previously, the mental health crisis among young people is often linked to the widespread adoption of smartphones and social media starting in the early 2010s. While there is not yet consensus on the exact causation or extent of harm, the primary question should be whether there is sufficient evidence to deem artificial intelligence, smartphones and social media technologies safe for children and adolescents. Noting efforts to ban or regulate the use of mobile telephones within schools,[34] she stresses the need for a precautionary approach.[35]

C. Defining the right to be safe in education

40. The various concepts related to the right to be safe in education, such as safety, security, well-being, peace and violence, may be differently understood across continents, societies and communities, and evolve over time.

41. Safety can be undermined by a variety of actors, including the institutions themselves, teachers, students, parents, security guards, police and military personnel, as well as non-State actors, including companies, individuals and armed or criminal groups operating around schools.

42. Being and feeling safe are vital and distinct, albeit interrelated, aspects of safety: the former is objective and the latter subjective. Everyone should be and feel safe in education. States and other stakeholders have important responsibilities for both, meaning that they must take expressions of fear about safety in educational institutions seriously, regardless of assessments of danger. Nevertheless, discourses about insecurity in schools should not be inflammatory, facts should not be exaggerated and communities should not be pitted against one another, making them feel unsafe.

43. For the present report, the Special Rapporteur proposes to define the right to be safe in education as the right of learners, educators and non-teaching staff to be protected from any violation of their physical, sexual or psychoemotional integrity, as well as from practices that might harm or endanger healthy relationships and the free expression of identities, in all educational spaces and processes, including digital ones. Safety 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.

IV. Multifaceted challenges associated with ensuring the right to be safe in education

44. The Special Rapporteur welcomes national efforts to address safety in education in various ways, which are evident in many contributions. National actors strongly emphasized the importance of safety in realizing the right to education. For example, the Supreme Court of India categorically held that the right to education, guaranteed by the country's Constitution, incorporates the provision of safe schools.[36]

45. One key challenge is adopting a holistic approach based on international human rights norms to address the many dimensions of safety in education. An all-context and all-hazards approach can be developed on the basis of the Safe Schools Declaration and the Comprehensive School Safety Framework, with work driven predominately through national steering committees, as reported, for example, in Nigeria. The Declaration and the

[33] Contribution from Luxembourg, p. 5.
[34] Contribution from the Slovak National Centre for Human Rights, p. 5.
[35] A/79/520, para. 76, and contribution from New Humanity, pp. 3 and 4.
[36] Contribution from the Centre for Public and Private International Law, Gujarat National Law University, p. 5.

Framework can be integrated into school safety policies, as undertaken in a number of countries.[37]

46. Furthermore, as many contributors stressed, providing safe and protective learning environments demands a "whole school approach" to ensure the participation and empowerment of all members of the school community (school leadership, teachers, learners, parents, caregivers and community members) and to avoid top-down approaches that do not take the necessary practical measures into account.

47. Within this wider framework, the Special Rapporteur would like to emphasize the following points.

A. Bridging the gap between law and practice

48. While complaints mechanisms exist in many places, they are not always adequate, safe and confidential; many lack trained personnel to support reporting students. The likelihood of underreporting therefore remains a serious concern. Contributing factors include impunity within education systems and a lack of teacher codes of conduct and school-level legally binding frameworks to ensure that students are protected from school-related violence. Students, especially those who are young, are often not believed when they report abuse. Reporting, particularly the reporting of sexual violence, can lead to stigma, harassment and reprisals that may result in students dropping out of school. Long judicial processes potentially entail serious financial or psychosocial consequences, while reparations often exclude measures to recover educational loss or compensate victims for the long-term impact of changing schools or moving with their families.[38]

49. Gathering and publishing clear data is also crucial for evidence-based policymaking and targeted interventions. While the number of surveys with questions on school-related violence has increased significantly in recent decades, many countries still lack robust systems for the collection of relevant data. Often, the data collected do not encompass all dimensions of safety, focus on some issues only and are limited to the school or local levels, rather than having relevance at the national level. Some data-collection systems rely exclusively on criminal records without gathering data on all incidents. Research too often neglects sexual violence and surveys of school-related gender-based violence, for example, typically cover only limited types of violence, many focusing on adolescents and not on younger children or overlook boys' experiences of violence.[39]

50. Furthermore, inspections of both public and private educational settings are often weak and underresourced and do not cover all regions in countries equally.

B. Prohibiting institutionalized violence

51. Many violations of the right to be safe in education originate in national policies, laws and practices. For example, eliminating violent and humiliating punishment of children is an immediate, unqualified obligation of States,[40] given that corporal punishment is inconsistent with human rights and the dignity of the individual.[41]

52. By 2023, 136 countries had prohibited in full corporal punishment in schools; in 63 States, such punishment remained lawful in some or all educational settings. Some 793 million school-age children live in countries where corporal punishment in schools is not prohibited in full; 40 per cent of children surveyed in Africa and South-East Asia had

[37] Contribution from Save the Children International, p. 5.
[38] Contribution from Human Rights Watch, p. 5.
[39] Contribution from Frontline AIDS, p. 3.
[40] Committee on the Rights of the Child, general comment No. 8 (2006), para. 22.
[41] Committee on Economic, Social and Cultural Rights, general comment No. 13 (1999), para. 41.

experienced corporal punishment in school in the previous week.[42] In some countries, the practice is reportedly entrenched across education systems.

53. The violence of the punitive acts reported is horrifying. They include being hit, slapped or whipped on the hands, feet, face, buttocks and breasts with electrical cables, rubber hoses and wooden or bamboo sticks, being slammed into desks, or being forced to clean latrines with bare hands. Children reported prolonged beatings, having their head banged against walls and being punched in the face. They may also be exposed to extreme cold weather or made to do prolonged exercise without rest or water, carry or hold heavy objects, run long distances, dig holes, kneel on small objects, walk on their knees with their hands behind their back or swallow unpleasant or noxious substances. Corporal punishment is often accompanied by psychological cruelty and humiliation, such as taunting, public shaming, verbal insults or tearing up children's work. Children may be forbidden from using the bathroom, eating or drinking. Contrary to narratives of corporal punishment being for serious misconduct, children commonly report its use for not doing homework, failing tests, arriving late, not having the correct uniform, sleeping in class, answering incorrectly, failing to pay school fees and being absent. Entire classes may suffer corporal punishment for one student's misbehaviour or for the underperformance of the class. Children in some contexts are tasked with beating others, thereby normalizing societal patterns of violence. Risks may be higher for children suffering multiple forms of discrimination, including those belonging to minority or Indigenous groups, those of African descent and those living in poverty. Male adolescents living in poor areas are also at higher risk. There are periodic reports of children dying as a result of teacher violence.[43]

54. In exceptional cases, teachers may be confronted by dangerous behaviour that justifies the use of reasonable restraint. A clear distinction must be made between the use of force to protect a child or others and the use of force to punish. The principle of the minimum use of force necessary for the shortest period of time necessary must always apply. Detailed guidance and training are essential in order to minimize the necessity of restraint and ensure that punitive action is safe, proportionate to the situation and not designed to inflict pain.[44]

55. Institutionalized violence in schools also encompasses compulsory pregnancy testing, which can entail or constitute cruel, inhuman and degrading treatment, stigmatization and public shaming that violate the right to be safe in education.[45]

56. There is also concern about compulsory early childhood care and education for infants as young as 11 months being a form of institutional violence, prioritizing institutional goals over children's well-being.

C. Ending institutionalized discrimination

57. Institutionalized violence is often linked to institutionalized discrimination that fuels harassment and physical attacks and endangers individuals' mental and psychological integrity, as well as healthy social relationships.

58. Vulnerabilities are amplified when curricula omit topics relating to tolerance and diversity and when textbooks portray members of specific groups in a discriminatory, demeaning or pejorative manner or designate them as enemies.

59. The removal of protections against discrimination in some countries is opening the door to violence and harassment against specific groups, especially women, girls and gender-diverse people. For example, the Special Rapporteur has expressed her concern regarding the

[42] End Violence against Children and others, "Ending corporal punishment in schools to transform education for all children", May 2023, p. 2. See also contribution 1 from UNESCO, p. 6.

[43] "Ending corporal punishment in schools to transform education for all children", pp. 4 and 10; see also contributions from Human Rights Watch, p. 3; Campaña Latinoamericana por el Derecho a la Educación, p. 4; and the Office of the Public Defender of Georgia, p. 4.

[44] Committee on the Rights of the Child, general comment No. 8 (2006), para. 15.

[45] Contribution from Human Rights Watch, p. 4.

removal by some local governments in the Republic of Korea of ordinances prohibiting discrimination based on sexual orientation and gender identity.[46]

60. The prohibition of specific studies or topics also decreases safety. For example, the Special Rapporteur expressed concern, following her visit to the United States of America in 2024, about an alarming trend of banning books that addressed such topics as sexual orientation, gender identity, race and history.[47] The elimination of gender studies in a number of countries is also having a negative impact on girls, women and those with non-binary identities.

61. Of additional concern are policies eliminating comprehensive sexual education. As noted by the Inter-American Court of Human Rights in relation to the case of *Guzmán Albarracín and others v. Ecuador*, comprehensive sexual education helps to prevent acts of sexual violence in schools[48] by enabling potential victims to identify, avoid and report such acts.

62. Assimilation policies in educational institutions also constitute institutionalized discrimination and undermine the right to be safe in education. Boarding schools for Indigenous peoples, minorities or peoples claiming their right to self-determination merit special scrutiny, bearing in mind the legacy of the residential school system brought to light in such countries as Canada.[49] For example, the Special Rapporteur has expressed concern about the reported policy of forced assimilation of the members of the Uighur minority and of Tibetans through boarding institutions for children, some at a very young age, causing serious negative sociopsychological impacts, including the loss of family connections, apathy, anxiety, interaction disorders, feelings of loneliness, isolation, alienation, homesickness and other forms of physical or emotional distress.[50] Although boarding schools save learners from exposure to dangers on their way to and from school,[51] violence is also perpetrated in boarding schools.

63. Children with disabilities are particularly vulnerable. Even in high-income countries with explicit inclusion policies, the majority of students with disabilities reportedly experience some form of abuse at school, for example, through the denial of a truly inclusive education or a refusal to make specific required adjustments.[52]

D. Preventing discrimination, harassment and violence in educational institutions and the wider school environment

64. It is clear from the contributions that protections against discrimination, violence and bullying, including cyberbullying, are vital. Measures adopted are varied and numerous; they include prevention and awareness-raising campaigns, early warning procedures, conflict-management training for students, staff and the wider community, mediation procedures, including peer support networks, psychological interventions and diverse channels for complaints, as well as the use of disciplinary sanctions and criminal law for the most serious cases. A good practice is the establishment of charters of students' rights and duties, guaranteeing protection against any form of violence, exploitation or abuse within schools.[53]

65. Notwithstanding the above, even when adequate, clear and binding protocols and reporting mechanisms are in place, poor implementation and enforcement mean many

[46] KOR 3/2024 (Government response). See also the contribution from Coalition Margins, p. 2; and USA 9/2025.

[47] See the statement dated 10 May 2024 by the Special Rapporteur on the right to education. Available at 20240510-stm-eom-sr-education-usa.pdf.

[48] Contribution from the Center for Reproductive Rights, pp. 1 and 2.

[49] Contribution from the Canadian Human Rights Commission, pp. 3 and 4.

[50] CHN 13/2023; CHN 6/2022 and Government response.

[51] Contribution from the Commission for Human Rights and Good Governance, Tanzania, p. 9.

[52] Contribution from Inclusion International, pp. 5 and 6.

[53] Contribution from Morocco, p. 4.

institutions do not meet safety standards.[54] For example, there are reports of non-compliance with protocols because of staff shortages, a lack of school psychologists and counsellors, staff having no knowledge of protocols, staff having poor training or no training at all or staff prioritizing protecting the school's reputation over protecting students. Protocols themselves may not be adequate, especially in cases of long-term or online bullying. Awareness-raising programmes for children and young people may be insufficient or unevenly implemented. Deep-rooted social norms, including those that justify violence and discrimination, continue to hinder the effective implementation of policies aimed at ensuring school safety.

66. Vetting teachers and other staff working with children is important for ensuring safety in schools. Procedures must, however, conform to the international legal framework regarding possible restrictions on the right to work (articles 4 and 6 of the International Covenant on Economic, Social and Cultural Rights). In some countries, vetting processes have been used to ban political dissent.

67. Having to travel significant distances to and from school and a lack of safe, free or affordable transportation expose many children to sexual exploitation, harassment and abuse. In some cases, insisting that girls who are pregnant or parenting attend evening classes only heightens their exposure to safety risks. As noted by the Special Rapporteur in a communication to Haiti, the risk of sexual and gender-based violence on public transport leads families to remove girls from school.[55] Children with albinism have also been specifically targeted in some contexts. School hours may oblige children to commute to school alone in darkness.

68. Violence and harassment against teachers and other education personnel, which do not constitute the majority of cases, must not be disregarded. There are reports of student informants complaining about teaching content, methods and infrastructure, as well as the attitudes and quality of teachers, specifically to censor critics of the government or to chill speech on specific issues. In some countries, teachers have been murdered for the content of their teaching[56] and otherwise attacked for various reasons. In Lithuania, for example, 447 teachers were bullied or otherwise harmed in 2023.[57]

E. Ensuring that safety measures do not jeopardize the right to be safe in education

69. To improve safety in educational institutions, States have adopted a wide – and sometimes widely divergent – array of security measures. Efforts include involving police officers in information campaigns; having police officers, security guards or "school life staff" control access to educational institutions and surrounding areas and ensure the safety of students entering or exiting; having uniformed police officers regularly patrol and visit schools and schoolyards; interventions by trained plainclothes inspectors; and security forces, armed guards or local police escorting teachers and students to and from school, including in bulletproof vehicles. In response to school shootings, some countries have increased the police and security presence and the use of metal detectors. In some countries, school security is being increasingly influenced by militarized approaches, even in times of peace. The presence of law enforcement and military actors in schools often leads to surveillance, counter-terrorism programmes, drug control measures and harsher disciplinary systems.

70. To ensure that safety measures do not create an intimidating environment, some States do not allow security personnel inside schools;[58] limit the use of cameras to corridors, common areas and building perimeters;[59] ensure that security guards are unarmed and their tasks limited to checking school entrances under the headteacher's supervision;[60] and

[54] Contribution from Plan International, pp. 6 and 7.
[55] HTI 1/2024.
[56] Hugh Schofield and Michael Sheils McNamee, "Eight sentenced in France for actions that led to teacher beheading", BBC, 20 December 2024.
[57] Contribution from Lithuania, p. 2.
[58] Contributions from Czechia, p. 2, and Luxembourg, p. 1.
[59] Contributions from Azerbaijan, p. 6, and the State of Palestine, p. 3.
[60] Contribution from Cyprus, p. 2.

require mandatory training of security officers on how to interact with students in ways that respect their rights and dignity.[61]

71. In societies plagued by social violence, it is reported that the use of interventions by the security forces, combined with a ban on the carrying of firearms in public institutions, has made a significant contribution to reduced levels of violence and intimidation in schools, including violence related to criminal groups and school shootings.[62]

72. Measures to protect safety have not always had the desired results, however.[63] It is clear from a number of contributions that some safety measures are counterproductive and themselves contribute to an unsafe school environment, raising significant concerns regarding the maintenance of a non-intimidating learning environment and students' right to privacy.[64]

73. Such measures as the deployment of armed guards, police or military personnel in schools; police patrols of school perimeters; and surveillance of learners and educators in classrooms, on campuses and in the digital space are problematic. They transform educational environments into spaces where students and teachers are under constant surveillance. The chilling effects of surveillance profoundly shape interaction in educational settings and the educational process itself. Surveillance curtails the ease with which people raise questions, share information and seek access to resources. It hinders independent thinking and identity development and it affects how people behave and interact in educational spaces.[65] This shifts the purpose of education from empowerment to control and is contrary to the very essence of education, which must be built on trust, personal agency, a thirst for enquiry, academic freedom and a critical spirit.

74. Relying exclusively on a hardened security strategy for educational institutions creates a culture of criminalization in which students are policed and treated like threats to their school community. This is especially true of those facing stereotyped profiling, such as Indigenous peoples, people of African descent, including Black girls,[66] and non-white children and young people more broadly, who are more frequently treated as potential offenders than their white peers[67] and suffer disproportionately high rates of suspensions and expulsions. The cumulative message received by such students is that their school is not a safe or welcoming place.[68] Such practices also contribute to the "school-to-prison pipeline" wherein students, particularly those from racial minorities and socioeconomically disadvantaged backgrounds, are pushed out of the educational system and into the criminal justice system.[69]

75. Counter-terrorism measures in schools can be problematic, too. For example, the Committee on the Rights of the Child recommended that the United Kingdom of Great Britain and Northern Ireland immediately end the targeting of specific groups of children, particularly children of Muslim or Asian descent, through the Prevent Strategy, and institute mandatory teacher training.[70] As a matter of principle, requiring educators to identify signs of radicalization based on vague and contested indicators, and the questioning of children, sometimes at a young age, by counter-terrorism officers at school without the presence of an

[61] Contribution from Bosnia and Herzegovina, p. 2.
[62] Contribution from El Salvador, pp. 2 and 3.
[63] Contributions from EdChoice, p. 6; Slovak National Centre for Human Rights, p. 5; and Comisión de Derechos Humanos de la Ciudad de México, pp. 2, 5 and 6.
[64] Contributions from the Brazilian Campaign for the Right to Education, p. 1, and the Observatorio de Libertad Académica, p. 3.
[65] Contribution from Privacy International, p. 8.
[66] Contribution from the National Women's Law Center, p. 2.
[67] Contribution from Geledés – Instituto da Mulher Negra, p. 3.
[68] Contribution from the Canadian Human Rights Commission, p. 5.
[69] See Henry A. Giroux, "Schools as punishing factories: the handcuffing of public education", Truthout, 6 August 2015; and Henry A. Giroux, "When schools become dead zones of the imagination: a critical pedagogy manifesto", *Policy Futures in Education*, vol. 12, No. 4 (2014).
[70] CRC/C/GBR/CO/6-7, para. 26 (a).

adult or a guardian, does not maintain a proper balance between the efforts to combat terrorism and children's rights, including the right to be safe in education.[71]

76. The Special Rapporteur has previously detailed multifaceted violations of academic freedom across the globe against teachers, researchers and learners, at all levels of education.[72] Education becomes unsafe when academic freedom is curtailed through direct and violent repression, including police incursions on campus and disciplinary measures that include arrests, detentions, rustication and other consequences, as stressed by students.[73]

77. Since the massacre in Israel in October 2023, a number of Special Rapporteurs have raised concerns about the disproportionate and excessive use of force against student demonstrations expressing solidarity with the suffering civilians in Gaza and denouncing the ongoing Israeli military response, as well as the suspension and expulsion of students from universities, the dismissal of academics and calls for their deportation, threats to dissolve student unions and associations, and restrictions on campus meetings, particularly in the United States of America.[74] Special Rapporteurs have also expressed concern at the reported increase in antisemitism in universities,[75] noting that, while the protests were peaceful in large part, some Jewish student groups reported feeling fearful and complained of antisemitism, antisemitic attacks, marginalization and discrimination, as well as tensions within the Jewish student community.[76] The Special Rapporteur reiterates the right of Jewish students and scholars, as with other students and scholars, to be and feel safe in education.

78. Rather than abusively restricting freedom of expression and academic freedom, States, academic institutions and teachers have the responsibility to promote an inclusive, safe and enabling environment for academic, evidence-based enquiry, debate and discussion, including on controversial issues, such as the Israeli-Palestinian question, geared towards the promotion of understanding and tolerance among and within the affected communities. At the same time, they must firmly combat hate speech and negative stereotypes, including those of Jews, Muslims, Palestinians and Arabs. Any action that silences voices and suppresses critical discourse is contrary to this objective. Consequently, the Special Rapporteur, jointly with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, reiterates her position that States and academic institutions that have adopted the "working definition" of antisemitism by the International Holocaust Remembrance Association should review their policy in the light of the serious human concerns regarding that definition.[77]

79. It is important to know when it is pedagogically appropriate to introduce a debatable, contentious or polarizing issue in the classroom and to recognize when such a topic serves as a resource to improve the educational process and when it is merely an excuse for or element of indoctrination.[78]

80. The Special Rapporteur understands why communities and parents call for security measures to ensure the physical safety of their children.[79] However, measures must not infringe upon students' rights or contribute to a hostile or intimidating atmosphere in educational institutions. Measures should be temporary and should always be accompanied by programmes to address the root causes of unsafety and promote community resilience, non-discrimination, inclusion and mutual respect. Essentially, a rights-based intersectoral approach is necessary to end cycles of violence.

81. Many communities in crises-affected regions have established local groups to protect school communities from attacks and assist schools when acts of violence occur, in

[71] Contribution from Prevent Watch, p. 1.
[72] See A/HRC/56/58.
[73] Contribution from the European Students' Union, p. 3.
[74] A/HRC/56/58, para. 44, and A/79/319, paras. 38–45. See also www.ohchr.org/en/countries/united-states-america.
[75] A/HRC/56/58, para. 44. See also contribution from the Anti-Defamation League.
[76] A/79/319, para. 40.
[77] Ibid., para. 97.
[78] Contribution from New Humanity, pp. 2 and 3.
[79] See, for example, the contribution from the World Jewish Congress.

collaboration with schools, security forces and defence forces,[80] for example, in Burkina Faso, Colombia and Mali. Such community networks can work in conjunction with educational institutions and include parents, neighbours and teachers, who act as lookouts around schools to report suspicious activity.[81] The reliance on volunteer efforts can render these measures inconsistent and unsustainable, however, and caution must be applied to ensure that intervention by these groups respects human rights.

F. Avoiding the militarization of educational spaces

82. The rising militarization of educational environments, including in times of peace in various countries, subjects learners and staff to an intimidating environment conducive to control, and to military discipline. For example, the Committee on the Rights of the Child has expressed concern about the increasing number of public schools managed by the military police in Brazil and the employment of non-civilian teachers who are not adequately trained and who use authoritarian teaching and disciplinary methods. In the light of its general comment No. 1 (2001) on the aims of education, it recommended that all schools be operated by civilian authorities that apply child-friendly disciplinary rules and teaching methods and that public schools run by the military be expeditiously phased out.[82]

83. Military recruitment in schools, especially when targeting minors, also compromises the educational mission, hindering young people's ability to make informed decisions about their future. Recruitment programmes often introduce students to military discipline, training and even weaponry, creating a pipeline for future enlistment. Programmes that incorporate military-themed simulations, career talks or curriculum content normalize militarism, subtly shaping students' perceptions of conflict and authority. These initiatives are especially problematic when presented in communities located in low-income or racially marginalized areas, with limited educational and employment alternatives.[83]

84. The Safe Schools Declaration, endorsed by 121 States, calls for the protection of education from military use, emphasizing that schools should remain demilitarized and protected spaces.

G. Establishing and maintaining safe facilities

85. States must ensure that public and private educational facilities are adequate, safe, safely accessible and well maintained at all education levels, ideally following the Comprehensive School Safety Framework.[84] Standards for secure and safe learning environments should ensure infrastructure suited to all learners, including girls, women and learners with disabilities, taking into account such factors as learning space sizing and maintenance, sanitary and kitchen facilities, furniture, equipment, emergency exits and disaster risk management. Importantly, disparities within countries should be urgently addressed in this respect.

86. Educational institutions should have disaster-resilient structures capable of withstanding extreme weather events and natural disasters. Since 2020, climatic shocks have disrupted education for approximately 62 million children and adolescents in 27 countries, and that figure is likely to rise in the future. Some 1.3 billion school-age children live in regions highly susceptible to – and in many cases already experiencing – the effects of climate change,[85] putting their safety at risk. Examples were shared of good initiatives linked to the

[80] Contribution from Plan International, pp. 5 and 6.
[81] Contribution from Colombia, p. 8.
[82] CRC/C/BRA/CO/2-4, paras. 73 and 74, and contribution from the Brazilian Campaign for the Right to Education, p. 5.
[83] Seth Kershner and Scott Harding, "Militarism goes to school", *Critical Military Studies*, vol. 5, No. 3 (2019); and Bede Sheppard, "Protecting schools from military use: law, policy, and military doctrine", Human Rights Watch, 2019.
[84] For private institutions, see the Abidjan Principles on the human rights obligations of States to provide public education and to regulate private involvement in education, paras. 54 and 55 (j).
[85] Contribution from Save the Children International, p. 2.

Framework in Indonesia and Viet Nam.[86] Other countries, such as Cuba, have initiatives to prevent xenophobic attitudes towards climate displaced persons.[87] Further lessons can be drawn from the report entitled "Learning at risk: the impact of climate displacement on the right to education", published by the United Nations Educational, Scientific and Cultural Organization in 2023.

87. Making school surroundings safe requires effort in a number of areas. These include installing sidewalks, paved roads, traffic lights, speed bumps to regulate vehicle speeds, pedestrian crossings with specific signs indicating children crossing, designated areas for students boarding and alighting from buses and private vehicles, and safety railings separating the school premises from the street to prevent students from rushing onto roads at the end of the school day.[88]

88. Educational institutions should be established in safe locations, far from waste dumps, mines and hazardous industrial sites, as well as drug dealers, criminal activities and gang violence. The hidden impact of drug-related violence – which has penetrated educational establishments alongside a fear of reporting – should not be underestimated.[89]

89. Food, water and sanitation are also vital for the enjoyment of the right to be safe in education. During the Special Rapporteur's country visits, students expressed concern about the poor quality of meals provided in schools, which can be served frozen, be insufficient, be of poor nutritional value and not cater to dietary restrictions. School meal programmes should provide healthier options in sufficient quantities to improve students' overall well-being.[90] In 2024, the Special Rapporteur endorsed a communication sent to France regarding the daily cuts to the drinking water supply in Guadeloupe, resulting from a lack of maintenance and the dilapidated state of the water network, resulting in some schools being forced to close for several days.[91]

90. As stressed by the previous mandate holder, a lack of water, sanitation and hygiene affects the health, well-being and performance of learners and education workers, risking psychosocial stress. A lack of appropriate menstrual hygiene materials and functional single-sex toilets equipped with washing and changing facilities can result in health complications, absenteeism or students dropping out of school. Being forced to resort to open defecation can increase the risk of violence.[92] Many States have developed policies to guarantee regular medical check-ups and conduct health promotion and disease prevention activities in educational institutions, including for teachers. Medical services and staff are not always sufficiently accessible in schools, however.[93]

H. Specific situation of non-conventional schooling and homeschooling

91. According to a significant number of contributors, many parents choose homeschooling in order to provide an educational environment in which safety – whether physical, digital or emotional – is prioritized in ways that institutional systems often fail to achieve. Conversely, other contributors stressed the issues of domestic violence and abuse within families, underlining the challenges inherent in ensuring effective monitoring of homeschooling without infringing on parental rights and the lack, or inappropriate nature, of regulatory environments for both homeschooling and emerging non-conventional educational modalities, such as independent micro-schools.

[86] Contribution 1 from UNESCO, p. 5.
[87] Ibid., p. 6.
[88] Contributions from the Community Action Center, p. 6, and Sílvia Cópio and Ricardo Carvalho, p. 1.
[89] Contributions from the Instituto Nacional de Derechos Humanos, Chile, p. 2.
[90] See the statement dated 21 March 2025 by the Special Rapporteur on the right to education. Available at www.ohchr.org/sites/default/files/documents/issues/education/statements/sr-education-eom-statement-hungary-21-03-2025.pdf; and A/HRC/59/41/Add.1, para. 63.
[91] FRA 1/2024 and Government response.
[92] A/75/178, paras. 9–14.
[93] For example, the contributions from Cuba, p. 3, El Salvador, p. 2, and the Commission nationale consultative des droits de l'homme, p. 3.

92. As noted by the Special Rapporteur in her previous report,[94] under article 13 of the International Covenant on Economic, Social and Cultural Rights, it is primary education, not schooling, that is compulsory. Homeschooling is part of educational freedom, with families retaining the liberty to ensure their children's education at home, including with the aim of ensuring their children's safety. Nevertheless, the same guarantees must by fulfilled in order to ensure that homeschoolers enjoy every aspect of their right to education. Safety policies designed with large institutions in mind may not be appropriate, however, or may impose disproportionate costs and requirements.

93. Following her visit to Finland, the Special Rapporteur noted the positive experience reported in the Åland Islands, where, to ensure the educational rights of homeschooled children, authorities work closely with parents and provide healthcare and school psychologist services.[95] A similar approach is seen in Portugal, where homeschooling is accompanied by access to State-provided health, psychological and social services, an array of protective measures and a monitoring system.[96]

94. Different issues arise when homeschooled children are viewed as more vulnerable to radicalization, which may lead to additional scrutiny of homeschooling families based on unfounded perceptions of risk and discriminatory bias, particularly against Muslim families.[97]

V. Conclusions and recommendations

95. **States and other stakeholders should recognize the right of every individual to be safe in education as an integral element of the right to education, understood as the right of learners, educators and non-teaching staff to be protected from any violation of their physical, sexual or psychoemotional integrity, as well as from practices that might harm or endanger healthy relationships and the free expression of identities, in all educational spaces and processes, including digital ones. Safety entails every person being able to enjoy and exercise their human rights in all aspects of education, without discrimination, fear or reprisal.**

96. **The right to be safe in education requires an all-encompassing rights-based approach to safety, for all rights-holders, in all contexts and with respect to all hazards, meaning that States should:**

(a) **Address all dimensions of safety (physical, psychoemotional, social and digital);**

(b) **Ensure the enjoyment of the right to be safe in education by all rights-holders, including learners, teachers and non-teaching staff, as well as parents and family members accompanying learners during school activities;**

(c) **Ensure this right at all levels of education and in every educational setting, whether public or private, general or vocational, and formal, non-formal or informal, across the entire spectrum of educational spaces;**

(d) **Adopt an all-hazards, context-specific, systemic approach to safety. The Special Rapporteur strongly recommends that States endorse the Safe Schools Declaration and the Comprehensive School Safety Framework and integrate these into safe school policies;**

(e) **Ensure that an environment in which everyone feels and is safe is fostered by all dimensions of the education system, including educational content, disciplinary rules, practice and governance, and pedagogical methods. All must be aligned with the aim of ensuring the right to education under international human rights law. Human rights education plays a crucial role in this respect;**

[94] A/HRC/53/27, para. 61.
[95] A/HRC/56/58/Add.1, paras. 28 and 122.
[96] Contribution from Sílvia Cópio and Ricardo Carvalho, pp. 3 and 5.
[97] Contribution from Prevent Watch, p. 8.

(f) **Adopt a "whole school approach" to ensure the participation and empowerment of all members of the school community (school leadership, teachers, learners, parents and caregivers and community members). Children should be considered participants and agents of change in this process and the main duty-bearers and other important actors should be identified;**

(g) **Ensure that all human rights are respected within educational settings, as an important element of safety.**

97. **The Special Rapporteur stresses that a progressive approach cannot be applied to all aspects of the right to education, in particular the right to be safe in education, the legal basis of which is also grounded in other instruments, such as the International Covenant on Civil and Political Rights. In particular, States have an immediate obligation:**

(a) **To end institutionalized violence in all educational settings, in particular by banning corporal punishment and compulsory pregnancy testing, prohibiting all forms of psychological, verbal and physical violence in schools, especially by adults, and ensuring comprehensive sexual education;**

(b) **To recognize and uphold the right to academic freedom, peaceful assembly and student protests, implementing de-escalation protocols and ensuring protection against excessive force;**

(c) **To end institutionalized discrimination, including by addressing the denial of truly supportive and inclusive education for persons with disabilities; eliminating forced assimilation policies and discriminatory bias in curricula; and ensuring the protection of specific groups, including by reversing any removals of such protection, especially for women, girls (including parenting and pregnant girls) and gender-diverse people;**

(d) **To adopt laws, policies and programmes to prevent discrimination, harassment and violence in educational establishments, including clear and binding protocols, efficient reporting and inspection mechanisms, and effective remedies;**

(e) **To ensure that resources are directed towards the most marginalized communities and tailored to end geographical disparities, in particular regarding the safety of infrastructure and availability of services;**

(f) **To review existing security measures to ensure that they are based on both the need to respect human rights within educational institutions and the stringent framework governing the restriction of rights in the name of safety. In particular:**

(i) **Provisions regarding limitations to rights enunciated in the International Covenant on Civil and Political Rights must be respected, where relevant;**

(ii) **In accordance with article 4 of the International Covenant on Economic, Social and Cultural Rights, limitations to the right to education, including the right to be safe in education, must be compatible with the nature of this right and imposed solely for the purpose of promoting general welfare in a democratic society. Therefore, when the measures adopted appear to be antithetical to the very essence of education, which requires safe spaces allowing for the free exchange of ideas and enquiry, the flourishing of academic and scientific freedom and the development of teachers and students' critical spirit, they should be discarded as contrary to the right to education;**

(iii) **Security measures should be temporary and always be accompanied by programmes to address the root causes of unsafety, ensuring children's participation;**

(iv) **Facial recognition must be banned in all educational settings.**

98. **States should also:**

(a) **Gather and publish, on a regular basis, clear and actionable data on all dimensions of safety in education, including sexual and gender-based violence, which can be used as a basis for targeted interventions or policies;**

(b) **Ensure teacher training, particularly on children's rights and non-violent forms of ensuring discipline among students;**

(c) **Organize training for children, teachers and parents on how to use the Internet safely and identify threats online;**

(d) **Provide sufficient physical and mental health services in educational institutions and address the root causes of the increasing mental health problems of young people, including by questioning excessive academic demands and extreme competition, blatant disregard for cultural identities and specific needs, the impact of screen time, smartphones and social media, and the role that financial insecurity and poverty may play in this regard;**

(e) **Ensure that all schools are operated by civilian authorities that apply child-friendly teaching methods and expeditiously phase out public schools run by the military;**

(f) **Support homeschooling families through resources and networks, and promote efficient and community-based oversight models.**

99. **Other stakeholders, in particular private educational institutions, should also implement the above recommendations, when relevant.**