



PEOPLE'S ADVOCATE FOR CHILD'S RIGHTS

**THEMATIC STUDY
EDUCATION FOR THE RIGHTS OF
THE CHILD
IN THE NATIONAL GENERAL
EDUCATION SYSTEM**

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ABBREVIATIONS

CRC	UN Convention on the Rights of the Child
CIDRC	Center for Information and Documentation on the Rights of the Child
STI	Sexually Transmitted Infection
IPPF	International Planned Parenthood Federation
GD	Government Decision
HIV	Human immunodeficiency virus
PAO	People's Advocate Office
WHO	World Health Organization
AIDS	Acquired Immunodeficiency Syndrome
UNICEF	United Nations Children's Fund
UNESCO	United Nations Educational, Scientific and Cultural Organization

Introduction

School is the best place for students to learn about children's rights/human rights and how they are to be respected.

The aim of the research was to evaluate the national curriculum for general education, the framework plan and national programmes on teaching the subject of children's rights in order to obtain a clear perspective on whether the educational objectives ensure the formation and development of the child's personality, and whether education achieves its aim "to help the student to reach his/her human potential, develop capacities, obtain competences and skills to understand and apply" what is studied in the subject of children's rights/human rights, especially how rights are respected.

A distinct topic of the research was sex education in national education institutions.

Using the scaled interview technique, 351 secondary and high school students were asked how they rate their level of knowledge of children's rights/human rights. They also gave their opinion on the content of national educational programmes in the field of children's rights/human rights.

From the survey data, students rate their knowledge of children's rights/human rights at a low level. They would like the curricula to be more applicable to current realities and challenges. Children expect teachers in particular to provide them with information about children's rights. The information provided should be based on practical activities and adapted to children's level of intellectual capacity and development.

We can conclude that students get most of this information in civic education/education for society classes, which are largely an optional subject and is not provided with the necessary number of hours.

At the level of perception of responsibilities, teachers consider that education for children's rights is mostly the responsibility of parents to familiarise pupils with children's rights. This statement is based on the misunderstanding of teachers who understand rights only at the level of "obligations" of children and at the behavioural level.

Rights are not conceived as supreme, natural and inherent values of the human being and it is the obligation of the state as duty bearer to ensure not only respect for rights and freedoms, but also their teaching. Adults, teachers and other professionals working with and for children do not realise the importance of promoting fundamental rights and freedoms in order to prevent their violation, and that violation of children's rights and freedoms entails legal liability for adults.

Thus, the obligation of the education system as part of the national child protection system, the obligation of the state to ensure respect for fundamental rights and freedoms is underestimated.

Pupils' right to freedom of expression and their participation in decision-making in matters that concern them are the least respected, in the opinion of both pupils and teachers. They are also of the opinion that there is discrimination against children in schools. Moreover, there is not enough understanding of the concept of discrimination, its manifestations and ways of preventing and intervening in it.

The study contains particularly significant conclusions and recommendations expressed by students and teachers for the authorities to overcome existing problems in the education

system and to provide a wider opportunity to implement at high-level international standards on children's access to education, which includes the right to education on the rights of the child.

The school, as a social institution, through its actions influences the strengthening of the environment in accordance with social expectations, enables the development of individual, intellectual potential and personality of students. School is the basic environment of growth in modern society; it is the place where children are prepared for independent life in the community.¹ This approach involves the participation of pupils in the life and work of the school and the community. Thus, teachers and other professionals in public fields related to the education system are obliged to perceive child participation as a process directed towards socialisation, responsibility and mutual activities between pupils, as well as between pupils and adults.²

In this context, the school is the most appropriate place for pupils to become familiar with the rights of the child, but also with other aspects related to the respect and practical implementation of their rights.

The question follows why it is imperative to respect the comprehensive realization of the subject "education of the rights of the child/human" in the education system? The main and indisputable argument stems from the obligation of general education. However, all children are beneficiaries of the education system and are in the education system from childhood to adulthood. Some of them spend more time in school than with their own families.

From the above, that school is the place where the child's personality is formed, ensures the development of intellectual potential, teaches and educates children, prepares them for adult life, to lead a healthy lifestyle, we conclude that the education system forms the future adult, well-educated and responsible citizen.

It is therefore essential that the education system and its line institutions take a holistic approach to the teaching of children's rights and freedoms, geared exclusively to developing in children the perception that they are both the beneficiaries and the promoters of this subject matter.

The Convention on the Rights of the Child encourages the tendency to see a child as an active participant in his or her development³. Child development involves encouragement, providing conditions for development but also protection against various forms of threats, as defined in the convention. As far as development is concerned, then this is to be promoted in accordance with the child's abilities and autonomy. The child's development is enhanced through protection, encouraging the progress of skills and strengthening their participatory roles in their own development and transformation as active participants in society. Children's participation is an essential condition for development; it means taking into account their possibilities for growth and encouraging children to participate in decisions that affect them.

Thus, national education programmes in the field of child/human rights should be modernised in terms of a more active involvement in the process of procreation on the non-material structure of the course students are to study.

¹https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11

²https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11

³http://ombudsman.md/wp-content/uploads/2021/04/Conventia_RO2020%E2%80%94%D0%BA%D0%BE%D0%BF%D0%B8%D1%8F.pdf

Although three decades have passed since the proclamation of the independence of the Republic of Moldova and almost 30 years have passed since the entry into force of the UN Convention on the Rights of the Child, no clear perspectives on the perception of children as a separate social group have been defined, and childhood and adolescence have remained based on theoretical or even ephemeral theories and concepts, which are not good enough to help children to fully feel the essence of the rights they have.

In this way, the human rights perspective is shaped by ethics, and legal principles should not be seen as anything other than a support in strengthening the ethics of human/child rights. Most of the dominant theories of psychological development contain the idea of a child as an active participant in the process of his or her development, starting from Bruner who states that a child is a creator of meaning in which the role of the first position on the violin can only be played by "the child"⁴.

The concept of education for the rights of the child is grounded in humanistic pedagogy and psychology, which represents "the philosophical notion of education of a concept based on personality development", according to its founders Maslow, Rogers and Steiner. They start from personality as an essential characteristic of a human being, from human dignity and the developmental needs of the individual.

The basic concepts of education for the rights of the child are found in the system of humanist pedagogy, centred on democracy and the building of civil society. The basic concerns of humanist pedagogy include issues of personality and its development, activity, creativity, autonomy, self-actualisation, freedom of choice, responsibility and orientation towards higher goals and values, all of which are essential parts that have been incorporated into the Convention on the Rights of the Child. In the humanistic approach, one can recognise the positive orientation in education, focusing on positive human abilities rather than issues of violence or behavioural disorders⁵.

Furthermore, the perceptions of humanist pedagogy are directed towards an individual, present, autonomous, who will obtain through his own experiences autonomy of values and skills essential for social integration. On the basis of this essential characteristic, the individual/child is seen as a priority. The Convention insists on its designation of the child as an individual and therefore the name of the Convention is the Convention on the Rights of the Child (individual rights) and not the Convention on the Rights of the Child (group rights). The Convention is an international precedent because the focus is on the rights of each child, thus providing a non-paternalistic attitude towards each individual child.

A basic feature of humanistic education is participation, i.e. the implementation of children's rights as participatory rights: the transfer of responsibility to children, the attribution of the ability to judge children, i.e. the decision-making on the content of activities. Learning aims to promote freedom of choice so that it can help pupils find those activities for which they are motivated. In education, teachers should focus on a child's positive abilities and thus help him/her to create a positive self-image.

The education system, through its core activity of educating children, has a significant impact on their development and is thus directly responsible for the exercise of the right to

⁴<https://www.simplypsychology.org/bruner.html>

⁵<https://www.simplypsychology.org/bruner.html>

education and the right to an adequate quality of education. Given that all children are involved in this system and spend a large part of their childhood where they develop intense relationships with their peers and teachers, the education system is naturally responsible for demanding respect for every child's right.

This requirement raises the responsibility of the state to organise the education system in such a way that all children's rights are observed in all circumstances. In addition to the above, the education system has an essential role to play in relation to the rights and responsibilities of the child of States Parties to the Convention on the Rights of the Child. In relation to the nature and resources of the education system, in the context of educational activities, there is an obligation to inform children about their rights and at the same time to influence awareness raising about the importance of respecting children's rights in all areas of society.

Finally, one of the basic assumptions for the full realisation and respect of children's rights is that children, in addition to learning about their rights, have the opportunity to practice them, i.e. to "live" them. Educational institutions are ideal places for the practical implementation of children's rights. Through intensive interaction with peers and adults, children in educational institutions have the opportunity to develop practical skills that contribute to the respect of children's rights and prepare them for the role of active citizens in a democratic society.

This applies in particular to the development of tolerant attitudes towards diversity, peaceful conflict resolution, the exercise of rights belonging to the corpus of civil and political rights, especially the right to participation. However, this potential can only be used if the organisation is set up in such a way that all interested parties are familiar with children's rights and implement them in practice.

CHAPTER I. COMPARATIVE ANALYSIS OF INTERNATIONAL STANDARDS IN THE FIELD OF EDUCATION FOR THE RIGHTS OF THE CHILD AND NATIONAL PRACTICES IN THIS FIELD

The Republic of Moldova signed and ratified the Convention on the Rights of the Child on February 25, 1993 and therefore committed itself to: harmonise national legislation with the Convention, which implies improving the position of the child in all aspects of life (including the development of the education system in relation to the standards set by art. 28 and 29 of the Convention), mass information of children about their rights, regular reporting to the Committee on the Rights of the Child on the realisation of rights under the above mentioned points.

The issue of children's rights in the education system of the Republic of Moldova is defined in the national legal framework. Thus, the Law No. 547 of July 21, 1995 on education, and at the current stage the Education Code adopted on July 17, 2014, regulates the general guidelines on the rights of the child in relation to the UN Convention on the Rights of the Child, on the segment of children's education. The Education Code together with the subordinate normative acts define specific implementation issues. Here, we mention the legislation on quality standards of work in educational institutions, which defines specific standards and indicators related to children's rights; the legislation on competence standards for education professionals; the standards on the roles of teachers in relation to children's rights; and the competence standards for managers of educational institutions, which are to recognise and advance aspects of education in the field of the rights of the child.

The issue of the rights of the child in education is a very topical but under-researched one. The research approaches to these issues can be categorised as those relating to research dealing with the realisation of children's rights in education, research, and access to education for children's rights in schools. Referring to research on the realisation of the rights of the child in education, there has not been much research on this topic since the adoption of the Convention on the Rights of the Child. The most significant studies of particular rights in education have been largely limited to evaluating the implementation of participatory rights activities in schools.

The research and approaches of education for the rights of the child in schools (and intercultural education, peace education, education for tolerance) were the subject of research by the UN Committee on the Rights of the Child, which formed the basis of General Comment No. 1 of April 17, 2001⁶. In addition, the major higher education institutions around the world have recently invested in strengthening studies on the aims of education, including the study of the rights of the child in national curricula. Professor Jerome Lee ORCID of Middlesex University, London, has examined the issue of education for the rights of the child in terms of the protection of citizenship, social and economic rights⁷. Respectively in the findings developed by Professor ORCID, based on the analysis of English legislation related to international standards, he elaborates three sets of recommendations which are summarized in the fact that "education in the field of the rights of the child on the segment analysed (citizenship, social assistance and economic protection), should represent a consensus between the international and national normative framework, the obligation to derive child rights education standards from the international versus the local level, and the need to continuously

⁶https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fGC%2f2001%2f1&Lang=en

⁷<https://eprints.mdx.ac.uk/22855/3/Interpreting%2520CRE%2520Article%2520%2528CSEE%2529%2520LJ%2520For%2520distribution.pdf>

evolve the field so that teachers and children gain not only theoretical but also practical skills, evolving into active implementers”⁸. Also, the Faculty of Philosophy in Novi Sad, Republic of Serbia, places significant emphasis on the study of intercultural relations, development of intercultural skills and competences in children, models of professional development of teachers for intercultural education, etc.

This research, although segmented and tangential to the subject of the study on the rights of the child, focused on the analysis of existing forms of human rights education and intercultural education in the content of school civic education subjects and other aspects of the implementation of this subject. There have also been some studies that indicate the interconnection between the contents of certain school curricula and the rights of the child. Some studies have looked at children's literature on gender equality and political correctness⁹. The research also indicates that "... students' knowledge of democratic citizenship concepts was supported primarily by humanities subjects for society including history subjects”¹⁰. International studies also show that the content of human rights is present in school curricula in primary classes, through various literal artistic texts, through which students are encouraged to think about them through the actions of characters.

The Council of Europe and other international institutions are currently exploring children's literature examining what children learn about their rights, the rights of others, the role of rights in a wider democratic society¹¹. Council experts study the ways in which children perceive rights through their favourite books and texts and how they adopt the themes present in children's literature: discrimination, exploitation, loneliness, fear, abandonment, violence against children, the child and the law, etc¹².

Thus, as mentioned *above*, the "umbrella norms" in the regulation of international standards, implementing the implementation of the child's right to education/study his/her rights, are pre-established by the provisions of art. 28 and 29 of the UN Convention on the Rights of the Child¹³ and General Comment No. 1 of April 17, 2001 of the UN Committee on the Rights of the Child on the aims of education¹⁴. Respectively, in the following we intend to make a brief comprehensive analysis of the international standards noted and the way in which the prenoted standards are implemented in national legislation.

Accordingly, from the logical-legal analysis of art. 28 and 29 of the UN Convention we conclude that under art. 28 States Parties recognize 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

⁸<https://eprints.mdx.ac.uk/22855/3/Interpreting%2520CRE%2520Article%2520%2528CSEE%2529%2520LJ%2520For%2520distribution.pdf>

⁹https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en

¹⁰https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en

¹¹https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en#thematic-areas-of-the-strategy

¹²https://www.academia.edu/18038813/A_Persons_a_Person_Childrens_Rights_in_Childrens_Literature

¹³http://ombudsman.md/wp-content/uploads/2021/04/Conventia_RO2020%E2%80%94%D0%BA%D0%BE%D0%BF%D0%B8%D1%8F.pdf

¹⁴https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&DocTypeID=11

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; e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates. (2). States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention (3). States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

From the rule set out in art. 28 of the Convention, we conclude that it imposes a set of general obligations on States parties with regard to the proper implementation of the right to education of the child within the jurisdiction of each State. Thus, this article lays down general obligations with regard to free education, compulsory education, respect for the principles of equality and equity throughout the educational process. From the above, we can conclude that the article under consideration provides for the technical part of ensuring the right to education of the child in each State party.

With reference to the provisions of art. 29 of the international act under consideration, we conclude that it represents the incorporation of the aims of the right to education. In this regard, we conclude that in accordance with the provisions of art. 29 the States Parties agree that the education of the child shall be directed to: a) The development of the child's personality, talents and mental and physical abilities to their fullest potential; b) **The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;** c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own; d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin; e) The development of respect for the natural environment. Nothing in this art. 28 shall be interpreted in such a way as to prejudice the freedom of natural or legal persons to establish and direct educational institutions, if the principles set forth in par. 1 of this art. are respected and that the education given in such institutions complies with the minimum standards prescribed by the State. Thus, from the perspective of art. 29, the mere implementation of the right to education is not sufficient. The compulsory state must configure its actions as a system of education to correspond to the aims listed above. From this perspective, we also draw attention to the fact that the provision of the right to education alone is not sufficient to ensure the right to education, as it is only part of the whole system of the right to education.

At the same time, in order to properly implement the provisions of the UN Convention on the Rights of the Child, in the field of education, the UN Committee on the Rights of the

Child has developed General Comment No. 1/2001¹⁵, which, although it has the status of a recommendation only, should be directly implemented in the national legislation of the State, in view of the UN Convention on the Rights of the Child, as an international human rights treaty. In the legislation of the Republic of Moldova, this is possible in the context of art. 4 of the Constitution of the Republic of Moldova¹⁶.

Thus, according to the UN Committee, art. 29, par. (1) can also be seen as a cornerstone for the various human rights education programmes called for by the World Conference on Human Rights held in Vienna in 1993 and promoted by international agencies. However, the rights of the child have not always received the prominence they need in the context of such activities. Education for human rights should provide information about the content of human rights treaties. However, children should also learn about human rights by seeing human rights standards implemented in practice, whether at home, at school or in the community. Education for human rights should be a comprehensive, lifelong process and begin with the reflection of human rights values in children's daily lives and experiences.

The values contained in art. 29 par. (1) are relevant to children living in zones of peace, but are even more important for those living in conflict or emergency situations. As the Dakar Framework for Action notes¹⁷, it is important, in the context of education systems affected by conflict, natural disasters and instability, that education programmes are conducted in ways that promote mutual understanding, peace and tolerance and help the prevention of violence and conflict. Education on international humanitarian law is also an important but too often neglected dimension of efforts to implement article 29 par. (1)¹⁸.

In this context, we highlight the fact that the Republic of Moldova adopted Government Decision No. 410 of April 4, 2003 on the adoption of the National Strategy "Education for all"¹⁹. This decision contained in its text several aims inspired by the international treaties listed above. Respectively, the normative act indicates that, in accordance with the Declaration of Jomtien, Thailand, education for all is to be approached not only from the point of view of compulsory school attendance, but also from the point of view of the level of knowledge, attitudes and skills to be attained upon graduation. Education for all aims to contribute to the development of the personality, intellectual independence, the integration of graduates into working life and their active participation in the development of society under conditions of genuine democracy.

In order to achieve these objectives, basic education must contribute to the following qualities:

- key skills, used as tools that ensure the development of a person's personality and subsequently serve as a basis for lifelong training;
- initial vocational guidance;

¹⁵https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fGC%2f2001%2f1&Lang=en

¹⁶https://www.legis.md/cautare/getResults?doc_id=111918&lang=ro

¹⁷<https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:52015IP0418&from=EN>

¹⁸https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fGC%2f2001%2f1&Lang=en

¹⁹https://www.legis.md/cautare/getResults?doc_id=31937&lang=ro

- knowledge, value concepts and skills needed for personal development as well as for educating civic-mindedness in a democratic society, when people are becoming aware of the need to participate actively in society and of their civic responsibilities.

In this respect, the decisions, conclusions and recommendations formulated in the World Declaration on Education for All (Jomtien, 1990) and in the Dakar Framework for Action (2000) are relevant to our education system and extremely topical for all stakeholders involved in the management and development of the education system in the Republic of Moldova. The Dakar Framework for Action sets out the following six goals of education for all:

1. Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children.
2. Ensuring that by 2015 all children, especially children from disadvantaged backgrounds and ethnic minorities, have access to and complete free, compulsory and good quality primary education.
3. Meeting the educational needs of all young and mature people on the basis of equitable access to relevant educational programmes and the opportunity to acquire life skills.
4. Achieve by 2015 a 50% improvement in the level of adult education, especially for women, and equitable access to adult basic and continuing education.
5. Eliminate gender gaps in primary and secondary education by 2015 and achieve gender equality by 2015, with particular attention to ensuring that girls are given full and equal access to and completion of basic education of high quality.
6. Raising the quality of all aspects of education and ensuring success at school for all, so that everyone can achieve recognised and measurable learning outcomes, especially in reading, writing, numeracy and other essential life skills.

However, although we are already 18 years after the adoption of this Strategy, from the analysis carried out we note that the state, the Republic of Moldova, is lagging behind on more than half of the points presented. Thus, it has not yet been possible to achieve at least physical accessibility of all categories of children to the national education system; the current education system is more than just the approach of the education system, leaving aside the other provisions laid down by the Convention and the Dakar and Jomtien Declarations. In this situation, we are left to conclude that education for the rights of the child, even though it is provided for in the national curricula, remains largely an aspiration for the future.

In support of this position, we point out that on May 21, 2004; Government Decision No. 527 was adopted on the approval of the National Action Plan "Education for all" for the years 2004 - 2008²⁰. Thus, according to the plan, the government's obligations regarding the implementation of a child-centred education system, which would include not only the education system but also the child's multi-aspectual development, were to be completed by 2008. However, from the analysis carried out on the implementation of the Plan, we can conclude with certainty that it has a segmented and incomplete implementation. Thus, it has not succeeded in eradicating school dropout and implementing accessibility policies in the education system, and the situation has remained practically unchanged with regard to the

²⁰https://www.legis.md/cautare/getResults?doc_id=29201&lang=ro

subjects in the field of children's rights, actions that were included in Government Decision No. 527/2004.

The idea of inadequate implementation of educational programmes in the field of children's rights can also be deduced from the evolutionary analysis of course subjects in which tangential aspects of education for children's rights were taught. Thus, with the adoption of the National Strategy "Education for all", the Ministry of Education at that time introduced the study of the subject "We and the Law", and later the subject "Civic Education". At the same time, it is necessary to mention that the respective subjects in the period 2003-2010 replaced each other, the essence of the material remaining largely the same. According to the Curriculum of the subject "Civic Education", adopted by the Ministry of Education in 2010, the main purpose of the subject "Civic Education" is the formation of the qualities of an active and responsible citizen, promoter of national, general-human and democratic values, able to assume responsibility for his own destiny and the destiny of the community. The topicality of the subject is also determined by the Recommendation of the European Parliament and of the Council of the European Union on key competences for lifelong learning (2006/962/EC)²¹, which outlines a "European training profile" for graduates of compulsory education. In this respect, the subject of civic education aims at forming a sense of devotion to the State of the Republic of Moldova in all its citizens, irrespective of ethnic origin, culture, beliefs, as well as identity formation, manifested in personal identity and civic identity, with a view to their active participation in building a democratic society at local, national, European and global community level.

The right to health is one of the fundamental human rights. Individual health is defined by the World Health Organisation as "a state of physical, mental and social well-being and not merely the absence of disease or infirmity". From a public perspective, health is, because of its immense individual, social and demographic implications, one of the most targeted objectives of government policies and strategies worldwide. Its achievement will allow all people to lead an economically and socially productive life. That is why civic education in secondary schools aims to teach pupils not only about fundamental human rights and duties and the need to fulfil them in everyday life; to teach respect for the laws and symbols of the state, to develop national awareness and civic spirit; but also to develop a responsible attitude towards one's own health as a personal and social value; to stimulate social and economic activity; to take responsibility for one's own destiny and the destiny of the community.

Thus, from the logical-legal analysis of the present document it can be deduced that, although the governmental authorities have set some objectives tangential to the field of human rights, they have not succeeded in focusing the teaching subjects concretely on the field of **education for the rights of the child**. In essence, we can conclude that in the period from 2010 to 2018, the essence of the study of the rights of the child, in the educational system although largely did not carry an optional character, it was less effective and reflected the essence of the interaction of the child with justice rather than the fullness of the study of the rights of the child.

An essential turnaround was not undertaken until 2019, when the then Ministry of Education, Culture and Research, together with a group of non-governmental organisations, teachers and independent experts, set about reshaping the concept of "education for the rights

²¹<https://eur-lex.europa.eu/homepage.html>

of the child" and edited the national curricula and respective textbooks for the subject of "Education for society". However, it should be noted that at the present stage the respective textbooks are available only for students in classes 5-6 and 10-11, while for the other classes of the secondary and high school cycle the old curriculum of the civic education course is taught, with the respective textbook from the period of 2014²².

At the same time, we note that for the primary level of education in general there is no educational programme on the rights of the child, so children in the primary level of education remain outside this field. The People's Advocate for the Rights of the Child considers that the non-inclusion of children in classes 1-4 in the national curriculum for education in the field of the rights of the child is a shortcoming on the part of the authorities in the education system and has a negative influence on the child's future development.

In this analytical study we will not dwell on the analysis of the civic education textbooks developed in 2010-2014, as the author has already explained that they do not meet the quality standards required by the UN Convention on the Rights of the Child and General Comment No. 1 of 2001, however, the Children's Ombudsman will make a brief analysis of the two existing textbooks for classes 5-6 and 10-11 and presents below, the relevant conclusions:

- The nominated "Education for Society" textbooks, although a modern product resulting from the analysis of several experts in the field of education, do not represent full coverage of the child rights education segment;
- Education for society in general represents only a narrow compartment in the system of education for the rights of the child;
- The textbooks analysed do not fully elucidate the rights that are outlined in the UN Convention;
- Information on the National Institution for the Protection of the Rights of the Child, the People's Advocate for the Rights of the Child, is not presented in any textbook;
- Specialized courses do not provide comprehensive and child-friendly information on how the child can defend his/her rights in case of need/emergency and which institutions should intervene at the request of the child;
- The teachers who teach these courses are mostly teachers who teach the course by accumulation, the basic subject usually being history or biology.
- The concept of the national curriculum and the textbooks developed does not fully cover the objectives listed in art. 29 of the Convention.

²²<http://ctice.gov.md/manuale-scolare/>

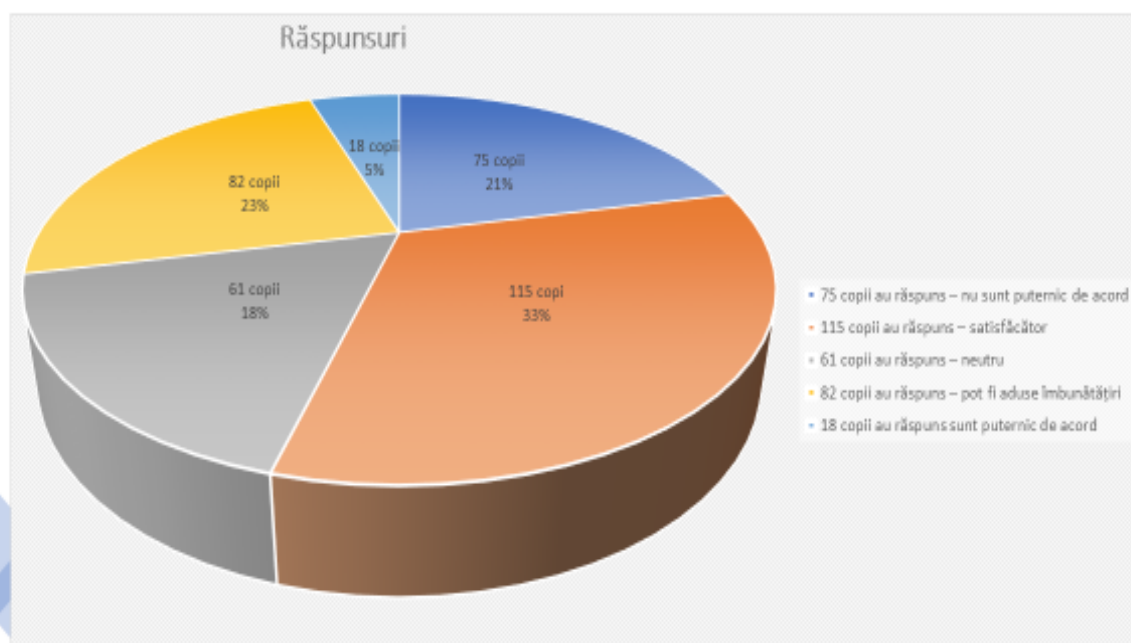
CHAPTER II. WHAT CHILDREN SAY ABOUT THE IMPLEMENTATION OF EDUCATION FOR THE RIGHTS OF THE CHILD

Further, the authors of the Report, being aware of the importance of children's input in cases that may affect their interests, have developed a survey to find out what children say about the area under analysis in this analytical approach. Thus, based on the belief that a child should participate in his or her own development processes, the role of schools is to encourage and guide children's development, respecting their abilities and development needs. Assessing their basic knowledge needed to understand and implement the rights of the child, students rated statements about this knowledge from 1 (strongly disagree) to 5 (strongly agree). Respectively, children had to go through 5 questions with 5 answer choices:

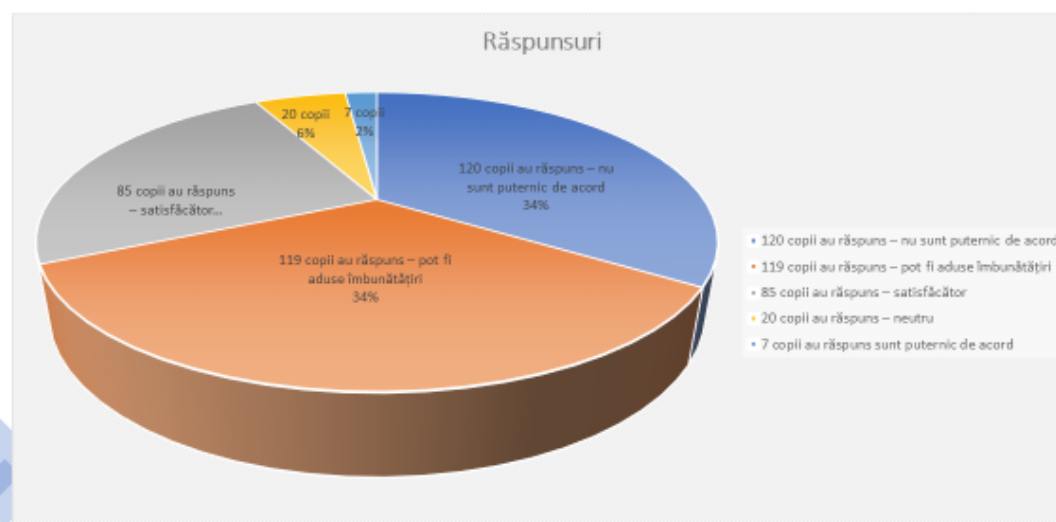
- I am satisfied with the Education for Society course;
- This course has answered all the rights I am interested in;
- I have been involved in the process of developing/modernizing the course;
- The teacher who taught me the course was professional, used the appropriate language and used the appropriate teaching material;
- I consider it important to study such a course in educational institutions.

The survey attended students in classes 5-6 and 10-11, who actually managed to study according to the new textbooks, and the answers were distributed as follows:

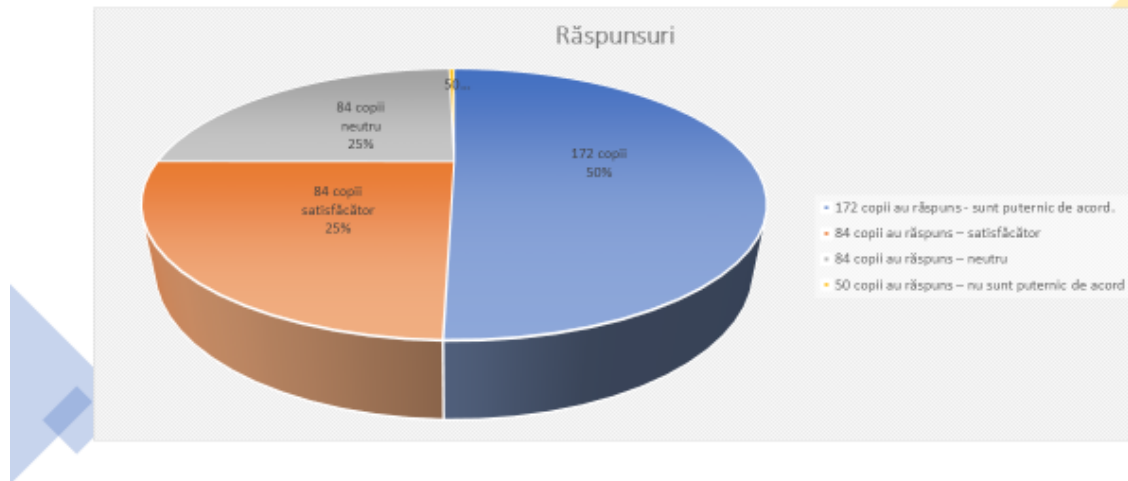
Sunt satisfăcut de cursul Educație pentru Societate?



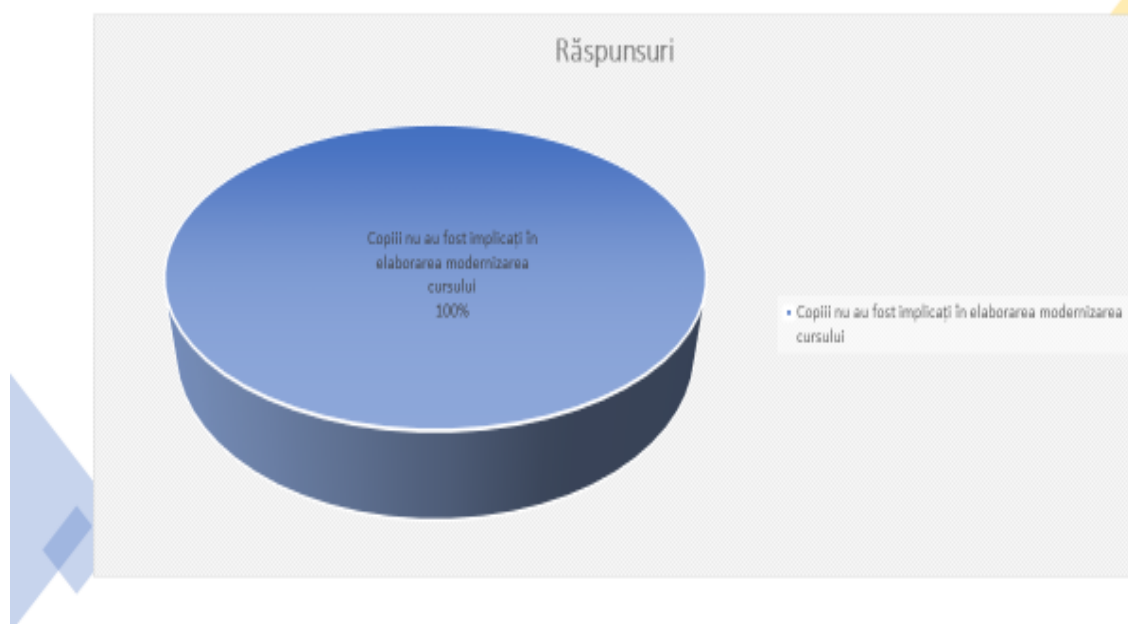
La acest curs am găsit răspuns la toate drepturile care mă interesează?



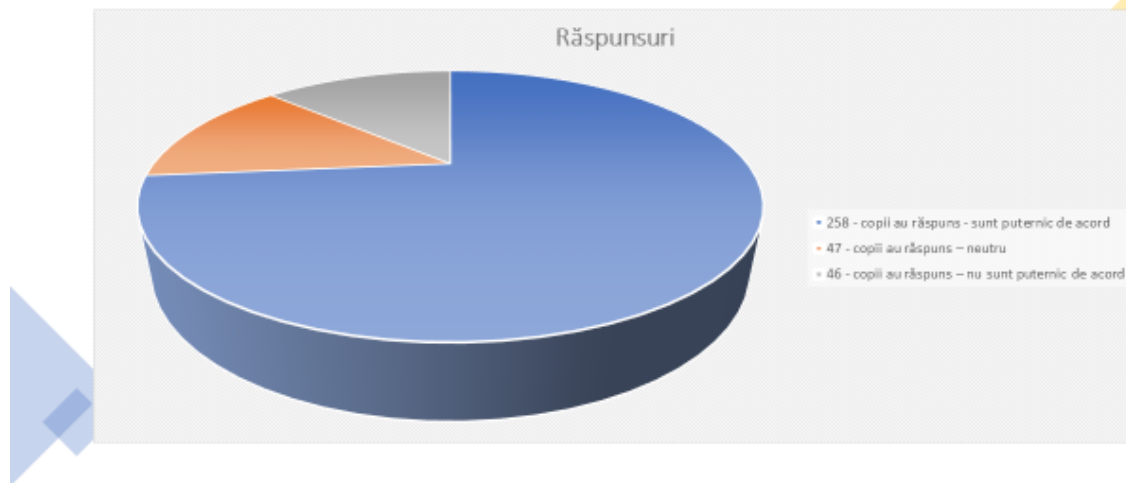
Profesorul care mi-a predat cursul a fost profesionist, a folosit limbajul adecvat și a utilizat materialul didactic corespunzător?



Am fost implicat în procesul de elaborare/modernizare a cursului?



Consider importantă studierea unui astfel de curs în cadrul instituțiilor de învățământ?



In conclusion, we would like to point out that, in relation to its primary purpose and activity, i.e. the education of children, the education system has a great responsibility in creating conditions conducive to the realisation of the rights of the child as defined by the Convention. The school and its teachers can become important promoters of the rights of the child, in other words, they can continuously and directly support the rights of the child and guide their pupils towards the realisation of their rights.

There are four principles in the Convention without which we cannot sustain the implementation of other rights: life, survival and development (article 6); best interests of the child (article 3); participation (article 12) - the child has the right to express his or her views freely and the right to have his or her views taken into account in matters and proceedings affecting him or her; non-discrimination (article 2) - all rights apply to all children without discrimination. The results of the research carried out show the extent and ways in which these principles are realised from the point of view of teachers and pupils. Students did not assess their knowledge of the rights of the child and how to protect them, although most of them consider school to be the most responsible source for providing information directly related to their rights.

Article 5 of the Convention defines the obligation of adults to provide children with appropriate guidance and advice on how to achieve their rights, including knowledge and information about the rights of the child. Teachers are obliged to provide children with information and knowledge about the rights of the child, but one in four pupils expect to receive this kind of information and so do parents.

A systematic approach to curriculum development in the area of children's rights would require the development of an active approach throughout the school, activities that would activate all resources for obtaining information, adopting knowledge of children's rights and creating the conditions in which children would be able to "exercise" their rights freely. This requires specific skills of teachers and their openness to continuous improvement. However, the research results show that teachers believe they do not need additional knowledge in this

area, but also that they expect to learn about the rights of the child during the initial training of future teachers.

Participation in decision-making has a stimulating effect on the child's development, because he/she is more willing to take responsibility for the things he/she participates in. The students state that the rights related to participation (respect for their opinions, freedom of expression and the right to privacy) are the rights least respected in school. The teachers have a similar opinion, because they consider that the right to freedom of expression and opinion and the right to participation are the least respected. Thus, both students and teachers mentioned that most of the time children's participation is nothing more than a mimicry that does not produce much effect. Even in educational institutions where children's councils are present, they are often limited in action and have no real influence on school life.

In addition, teachers and students recognise some forms of discrimination in school. The issue of recognising and eradicating discrimination requires knowledge related to the rights of the child, methods of protection against it and the conditions and circumstances leading to its violation. Discrimination includes any form of prejudice, exclusion, restriction or preference based on a personal characteristic, the purpose of which is to violate or deny the child's human rights and fundamental freedoms. The aim of modern education is focused on the equal treatment of every student and encouraging development in accordance with their abilities and potential. The role of the school is therefore to act preventively and to ensure conditions conducive to non-discrimination and observance of the right of the child to non-discrimination.

Based on the results of this research, there is space for the need to improve and modernise national education programmes on the rights of the child, identified from the point of view of teachers and students and in relation to all four of the above-mentioned principles of the Convention and General Comment No. 1, as well as methods for better addressing the rights of the child suggested by students, and children are particularly relevant here.

Specifically, the potential solutions are focused on the knowledge of children's rights acquired in different ways, enabling children to participate in the life and activities of the school, improving the curriculum with content in this area, as well as a constructive approach to the existence of curriculum content that can help to acquire knowledge about the rights of the child, but also a continuous improvement of teachers in this area and peer education in the knowledge, implementation and realization of the rights of the child in the school environment and life of the child.

CHAPTER III. IMPLEMENTATION OF EDUCATION ON SEXUALITY IN THE NATIONAL EDUCATION SYSTEM, FORM, CONTENT, EFFECTS

Another area that cannot not be addressed in this Report is Education on Sexuality i.e. learning about the cognitive, emotional, social, interactive and physical aspects of sexuality. Education on sexuality does not encourage children and young people to have sex. In the Standards for Education on Sexuality in Europe, experts agreed that: "Education on sexuality begins early in childhood and progresses through adolescence and adulthood. For children and young people, it aims to support and protect sexual development. Gradually, children and young people acquire positive information, skills and values that, in addition to access to health services, have a positive and continuing effect on the health and well-being of young people. Studies in several European countries have shown that the introduction of long-term national programmes of education on sexuality has led to the following 'direct outcomes', as outlined below:

- Reducing the number of teenage pregnancies and abortions;
- Reducing the risk of early sexual debut;
- Reducing the number of sexually transmitted infections (STI) among young people aged 15-24;
- Reducing HIV infection among young people aged 15-24;
- Reducing the number of sexual abuses;
- Reducing homophobia.

This subject helps young people to understand and enjoy their sexuality, to have safe and appropriate relationships and to take responsibility for their own sexual health and wellbeing, as well as the health of others. "Education on sexuality is a safe pathway to adulthood by encouraging understanding of emotions and feelings, teaching the principles of human

reproduction, providing knowledge about family and interpersonal relationships, learning about safety and developing confidence and communication skills.

Moreover, by increasing confidence and building skills to cope with different challenges, sex education can encourage young people to establish long-lasting and rewarding relationships:

- Awareness of human rights;
- Respect, acceptance, tolerance and empathy for other people;
- Gender equality;
- Confidence and self-esteem;
- Knowledge in the use of contraceptives;
- Empowerment and solidarity;
- Critical thinking;
- Negotiation, decision-making and assertiveness skills;
- Parent-child communication

Social norms and inequality between women and men influence how sexuality is expressed and sexual behaviour. Many young women have less control in their sexual relationships. Young men, on the other hand, may feel influenced by the opinions of their peers in trying to conform to certain male sexual stereotypes and engage in dominant or harmful behaviour. Good quality education on sexuality has a positive impact on attitudes and values and can even eliminate dominance in intimate relationships, thus helping to prevent abuse and encourage mutually respectful and consensual relationships.

All this can be done gradually, according to the child's age and stage of development. This policy brief presents evidence-based evidence describing the "direct" and "indirect" effects of sex education. At the same time, the authors recognise that the impact of the "indirect" aspects of education on sexuality has not been sufficiently studied to date.

The aim of education on sexuality is to again reduce teenage pregnancy rates through the specific knowledge it provides about contraception, including condoms, to develop positive attitudes towards the use of contraceptive methods, to develop negotiation skills when a partner refuses to use a condom, to build capacity to seek contraceptive services and means, as well as counselling, etc.

Sexuality is an integral part of human life. Children and young people have the right to receive reliable, scientifically based and comprehensive information on the subject. However, sex education in schools is a sensitive issue. Ever since it was first introduced into school curricula in Europe in the 1970s, parents, religious leaders and politicians have argued, often in highly polarised debates, about how much and what should be taught and at what age.

Numerous member states of the Council of Europe have made considerable progress in recent decades towards providing such education and improving its content so that it goes beyond the biological and reproductive aspects and genuinely equips children with knowledge about their bodies and rights, as well as informing them about gender equality, sexual orientation, gender identity and healthy interpersonal relationships (an approach often known as "comprehensive sexuality education").

Comprehensive education on sexuality is a powerful tool to combat violence, abuse and discrimination and for promoting respect for diversity.

The benefits of education on sexuality, when it is comprehensive, far outweigh the information on reproductive and health risks associated with sexuality.

Education on sexuality is essential to prevent and combat child sexual abuse, sexual violence and sexual exploitation. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) requires states to "ensure that all children receive, in primary and secondary education, information about the risks of sexual exploitation and sexual abuse and the means of protection, appropriate to their level of development". The Lanzarote Committee, which is responsible for monitoring the implementation of the Convention, stressed, for example, that the school environment is particularly suitable for informing about the widespread problem of sexual abuse of children within the family or in their "circle of trust".

The importance of education on sexuality in preventing children from falling prey to online sex offenders was highlighted during the isolation of the COVID-19 pandemic. As highlighted by the Lanzarote Committee²³, during this period, children have become increasingly vulnerable to online grooming, sexual extortion, internet harassment or other forms of sexual exploitation facilitated by information and communication technologies. The Committee called on states to step up information campaigns on the risks and rights of children online, as well as counselling and support services. In this context, we noted with interest that in some countries, such as Estonia, education on sexuality continued to be provided in online education.

In addition, education on sexuality is essential to prevent gender-based violence and discrimination against women. It should therefore contribute, from the earliest stages of education, to conveying strong messages in favour of equality between women and men, by promoting gender roles free of stereotypes, educating about mutual respect, consent to sexual relations, peaceful resolution of conflicts in interpersonal relationships and respect for personal integrity, as provided for in the Istanbul Convention.

Education on sexuality is also an ideal context for raising awareness about sexual and reproductive health and rights of women, including access to modern contraception and safe abortion. Research carried out in Europe under the auspices of the World Health Organisation (WHO) indicates that teenage birth rates tend to be much higher in countries such as Bulgaria and Georgia, where comprehensive compulsory programmes of education on sexuality are not established. Early pregnancy cannot only be very damaging to the health of teenage girls, but can also result in serious limitations on their educational opportunities.

To promote quality education on sexuality, this document recommends the "European Standards on Education on Sexuality", which complement other European and global initiatives. In 2001, the WHO European Region Strategy on Sexual and Reproductive Health was published. Through this 10-year strategy, EU Member States were encouraged to inform and educate adolescents on all aspects of sexuality and reproduction and to support them in developing the life skills needed to deal with these issues in a satisfying and responsible way.

In addition, the Strategy called for a review of laws and policies to ensure that they facilitate equitable access to sexual and reproductive education. In November 2006, the WHO Regional Office for Europe organised a conference in Cologne on "Education on sexuality for young people in a multicultural Europe". The conference provided a forum for over 100 experts

²³<https://www.coe.int/ro/web/chisinau/-/sexual-violence-against-children-is-an-ongoing-pandemic-10th-anniversary-of-lanzarote-convention>

from 26 countries to present and discuss successful strategies and initiatives on sexuality education. In addition, networking and collaboration in this field in the European region was encouraged.

In preparation for the conference, a set of "Country documents on sexuality education for young people in Europe" was developed as a first attempt to collect and integrate experiences of sexuality education in 16 European countries. These "Standards" represent the next step towards the development of sexuality education in Europe. The results of the "SAFE Project" (Sexual Awareness for Europe) were made available around the same time as the Cologne conference. The project, started in 2005, was an initiative of the European IPPF Network and its 26 member associations, together with Lund University in Sweden and the WHO Regional Office for Europe. The European Commission's Directorate-General for Health and Consumer Protection provided financial support for the project.

The partnership aims to promote sexual and reproductive health and rights among young people in Europe. This broad and innovative project has led to the creation of three major projects, one of which is the "Reference Guide to Sexuality Education Policy and Practice in Europe", used extensively throughout this introduction. One of the recommendations made in the project's policy guide report was to "ensure compulsory status for the subject 'comprehensive sexuality education' in primary and secondary schools and set clear minimum standards and teaching objectives". The "Standards for Education on Sexuality", although planned independently, complement the results of the SAFE project.

In 2009, UNESCO (together with other UN organisations) published a two-volume "Technical Guidance on Education on Sexuality". The authors of this guide exchanged information, experiences and opinions, but only in the second phase of the development of these "Standards". The two documents partly overlap, yet the UNESCO document presents global recommendations and these "Standards" are specific to different regions.

Also in 2009, the Population Council published a manual on sexuality education, entitled "A curriculum for everyone: guidelines and activities for a unified approach to sexuality, gender, HIV and human rights education". These guidelines were developed by a working group of several non-governmental organisations, including IPPF. The compilation cited reveals that a number of sex education initiatives have been launched over the past decade. These aim to fill a specific gap in Europe, building on previous and parallel publications.

By providing factual, non-stigmatizing information about sexual orientation and gender identity as an aspect of human development, comprehensive sexuality education can help save lives. It can help combating homophobia and transphobia, in and out of school, and create a safer and more inclusive learning environment for all.

The international bodies in the field of human rights have established that children and young people have the right to comprehensive, accurate, scientifically based and culturally sensitive sex education based on existing international standards. These include the UN Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights and, at European level, the European Social Charter and the Lanzarote and Istanbul Conventions mentioned above.

The right to benefit from comprehensive sexuality education derives from a range of protected rights, such as the right to be free from violence or discrimination, the right to the

highest attainable standard of mental and physical health, but also the right to receive and impart information and the right to quality and inclusive education, including human rights education. In a 2010 report on education on sexuality, the UN Special Rapporteur on the right to education stressed that "sexuality education should be considered a right in its own right and should be clearly linked to other rights, in accordance with the principle of interdependence and indivisibility of human rights". The need for sexuality education is also recognised in the United Nations 2030 Agenda for Sustainable Development and several of the goals included in this agenda need to be achieved.

A comprehensive education on sexuality is part of a quality education. **It should therefore be statutory, compulsory and integrated into the education system from the earliest years of school.** Worryingly, according to a 2018 survey, sexuality education was compulsory in only 11 out of 22 participating Council of Europe member states.

People who oppose sexuality education often argue for a right of parents to withdraw, on behalf of their children, from their participation in compulsory sexuality education. International human rights standards on the right to freedom of religion or belief and the right to education are less controversial in this area. Thus, the problem arises from the fact that neither the right to conscience and religion nor the right to education are part of the category of absolute rights. From this perspective, we deduce a dualistic interpretation, which is provided by the international treaties themselves.

For these reasons, we recall that under the provisions of art. 14 of the UN Convention on the Rights of the Child²⁴ it is recognized that States Parties shall observe the right of the child to freedom of thought, conscience and religion. For these reasons, we recall that under the provisions of art. 14 of the UN Convention on the Rights of the Child it is recognized that States Parties shall observe the right of the child to freedom of thought, conscience and religion. At the same time, in the light of the provisions of par. (2) of the same article provides that "States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child". It follows from the *above* that parents are the persons responsible for the upbringing of the child's religious conscience and education in general.

Furthermore, it is pointed out that under the provisions of par. (3) of art. 14 of the Convention provides that "Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others", and in these circumstances we deduce that the right to conscience and religion is a relative right and may be restricted depending on the needs arising in a democratic society.

A similar situation is also envisaged in the light of the provisions of art. 2 of the Additional Protocol to the European Convention on Human Rights, which once again recognises the importance of parents in the exercise of the education process: "No one shall be denied the right to education. The State, in the exercise of its functions in the field of education and teaching, shall respect the right of parents to ensure such education and teaching in conformity with their religious and philosophical convictions". It thus follows that parents are

²⁴http://ombudsman.md/wp-content/uploads/2021/04/Conventia_RO2020%E2%80%94%D0%BA%D0%BE%D0%BF%D0%B8%D1%8F.pdf

the persons empowered by international treaties to realise the child's right to education, including the right to education on sexuality.

The curriculum and teaching methods must be adapted to children's different stages of development and take into account their ability to develop. The 2018 UNESCO International Technical Guidelines on Sexuality Education cover a range of age groups, from 5-8 years to 15-18+ years. As outlined in the UNESCO Technical Guidelines, it is essential for children to learn about sexuality and safer sexual behaviours before they become sexually active so that they are adequately prepared for healthy and consensual relationships. UNESCO also recommends the use of participatory and learner-centred approaches that enable children to develop critical thinking skills.

Information provided to children as part of education on sexuality must be relevant and based on scientific evidence and human rights standards. Education on sexuality should not include value judgements or perpetuate prejudices and stereotypes. The European Committee of Social Rights has stressed that "sexual and reproductive health education must be provided to students without discrimination of any kind" and that it should not be used "as a tool to reinforce demeaning stereotypes and perpetuate prejudices that contribute to the social exclusion of traditionally marginalised groups and others who face entrenched discrimination and other forms of social disadvantage that have the effect of denying their human dignity". Furthermore, school curriculum on sexuality education should be regularly evaluated and reviewed to ensure that it is accurate and responsive to existing needs.

It is essential to provide families with accurate information about what sexuality education actually involves - and what it does not - and to explain the benefits for everyone, not just children. Clearly, for sexuality education to be accepted and successfully implemented, it should take into account the cultural and religious backgrounds of communities and parents. Schools should therefore be supported to engage with them, including, where appropriate, with religious leaders, and to take their views into account as long as they do not contradict the very aims of sexuality education, the best interests of the child or human rights standards.

It is important to consult and involve young people themselves in the first place to ensure that the content of the education provided to them is relevant and tailored to their needs. *Peer learning* can play an important role. For example, at the end of 2019, the Ministry of Education of Ukraine decided to introduce training programmes on peer learning for sexuality education and HIV prevention in schools, to be provided by an international youth organisation.

Comprehensive sexuality education should also be provided for out-of-school children and young people. This is particularly relevant for children and young people with disabilities, many of whom unfortunately still do not have access to mainstream education. Their sexuality tends to be ignored or even perceived as harmful, and as a result, they are often deprived of any access to adequate information about sexuality and relationships, despite their increased vulnerability to sexual abuse and exploitation. Online sex education can be a useful tool for out-of-school children, provided they have access to safe and inclusive digital spaces.

Finally, it is of crucial importance that teachers receive adequate specialist training and support for teaching comprehensive sexuality education, even if part of the teaching process is carried out by external actors. Integrating sex education training into regular

teacher training programmes, as has been done in Estonia and Finland, is an effective way of ensuring that all teachers are adequately prepared. Provision of sexuality education by schools should also be closely and regularly monitored and evaluated.

Considering the growing challenges and resistance to sex education, strong political leadership is much needed to remind society that access to comprehensive sexuality education is a human right and that it benefits everyone. Education on sexuality is about knowing your own rights and respecting the rights of others, about protecting your health and about adopting a positive attitude towards sexuality and relationships. It is also about acquiring valuable life skills such as self-confidence, critical thinking and the ability to make informed decisions. Clearly, there is nothing wrong with this.

Main considerations for sexuality education. Sexuality is a central component of human nature. All humans are born as sexual beings and must shape their sexual potential in one way or another.

Sexuality education contributes to preparing young people for life in general, especially for initiating and maintaining satisfying relationships, as well as to positive personality development and self-determination. People have the right to be informed; the UN Convention on the Rights of the Child clearly stipulates the right to information and the obligation of member states to take educational measures for children.

Sexual rights, as human rights related to sexuality, provide another framework that encompasses everyone's right to sex education. Article 8 of the European Network of the International Planned Parenthood Federation states: "The right to education and information: All persons, without discrimination, have the right to education and information, in general, and to comprehensive sexuality education and information necessary and useful for the full exercise of citizenship and equality in the private, public and political spheres".

Human rights are the guiding principle of the WHO Reproductive Health Strategy for accelerating progress towards the achievement of international development goals and targets where the promotion of sexual health is among the five key issues.

The World Association for Sexual Health sees sexual rights as an integral part of basic human rights, in other words as inalienable and universal. In its latest publication, entitled "Sexual Health for the Millennium", the Association puts forward the idea that sexual health should be promoted as a key strategy in achieving the Millennium Development Goals (MDGs)

In this context, eight objectives are identified, the fourth of which provides for universal access to comprehensive sexuality education and information. Sexual health can only be ensured if all people, including young people, have access to universal sexuality education and sexual health information and services throughout their lives. According to the research findings, the fear that sex education might lead young people to start sexual activity earlier or have more sexual intercourse is unfounded.

Informal education on sexuality has no place in a modern society. For the purposes of the following arguments, parents, other family members and other informal sources are important sources of learning about human relationships and sexuality, especially for younger groups. However, in modern society this is often not enough, as informal sources often lack the necessary knowledge, especially when complex and technical information is needed (such as information on contraception or modes of transmission of sexually transmitted diseases).

At the same time, young people themselves on the verge of puberty often prefer to seek information from additional sources of information other than their parents, as the relationship with their parents is too close. Young people are exposed to many new sources of information. Modern media, beyond all mobile phones and the internet, have become an important source of information in a short time. Nevertheless, a lot of information, especially about sexuality, is not orderly, balanced, realistic and often humiliating, especially for women (internet pornography).

Therefore, a new argument for sexuality education has emerged, namely the need to counteract and correct misleading information and images in the media. The need to promote sexual health throughout human history, sexuality has also been perceived as a threat to people's health: incurable sexually transmitted diseases and unplanned pregnancies have almost always been seen as serious risks associated with sexual relations. In the 21st century, these and other health risks are preventable not only because of the availability of the necessary knowledge, but also because sexuality is less taboo and it is possible to approach it for prevention purposes.

Therefore, sexuality education fulfils this very necessary function of promoting sexual health. Today, sexual health and reproductive health are strongly valued worldwide. Three of the eight internationally agreed Millennium Development Goals (MDG 3 on gender equality, MDG 5 on improving maternal health and MDG 6, which includes combating HIV/AIDS) are directly linked to this. Education on sexuality can make an enormous contribution to achieving these universal development goals.

The key groups and partners in relation to sexuality education can be confused and may even overlap. An example of this is young people themselves: while young people are perceived as the most important target group, the fact that they could also be an influential partner - as peer experiences have shown - is often overlooked.

Education on sexuality is a lifelong process, but it is of key importance in childhood and adolescence. This should be relevant to different age groups at different social levels, as sexuality is a central topic in people's lives.

Particular attention should be paid to adolescents living in a vulnerable context, e.g. migrants, sexual minorities, people with special needs and people with a limited educational background. Knowledge of the sexual and reproductive needs of target populations is essential for the development of sensitive sexuality education. In addition, strategies for sexuality education should be developed in a participatory manner.

Fruitful interaction between scientists, policy-makers, educators and representatives of target groups aims to plan, develop and implement appropriate strategies for a diverse society. Direct and indirect partners are important, sex education in schools is a sound strategy to attract a large percentage of children and adolescents, but different partners are needed to achieve this task.

There are two types of partners - direct and indirect, although the difference between them is not always very clear. Direct partners in sexuality education are parents and other carers, teachers, social workers, representatives of peer and youth groups, health workers and counsellors - people who are in direct contact with children and young people.

On the other hand, indirect partners play an important role in education on sexuality. These are policy-makers, supporters or intermediaries, including non-governmental organisations, community leaders, universities and legal and scientific institutions. Potential partners also include religious and cultural organisations, as well as youth organisations - and

whether they are direct partners (who have direct access to young people) or indirect partners depends on circumstances and contexts.

Networking, dialogue and cooperation with these types of organisations and institutions is recommended in order to address groups (migrants, cultural minorities, etc.) for whom the school setting may not be the only effective place for sex education. It has become clear that a participatory approach leads to strong empowerment and better outcomes.

Planning for sexuality education should include identification of partners and key ways of involving them in the design and implementation of educational activities. However, it is important to note that partners need training before they are able to contribute effectively to quality sexuality education.

The central premise of sexuality education is that - it may sound too simple, but is nevertheless often ignored - it requires its specific place in schools and should therefore be included in the curriculum in some detail. The implementation of sex education must be ensured by various institutions, for example, by the school itself, but also by supervisory institutions. Space, time and trained staff are needed for sexuality education to be implemented. However, even without these, sexuality education can be implemented.

As mentioned above, sex education encompasses a wide range of physical, emotional, social and cultural aspects. It should not be limited to disease prevention, but should address all the aspects mentioned here in a comprehensive and impartial way; moreover, it should not be based on fear. Therefore, a positive attitude towards sexual well-being is involved here. A holistic understanding of sexuality education requires a cautious choice of methods that appeal to different types of learners and judgements.

An important requirement for sexuality education is that students always feel safe: their privacy and boundaries must be respected. Although encouraged to be open, students should not share their personal experiences, as these are not things that should be known to the whole class and they may be criticised. By identifying some rules that the whole class agrees with, an atmosphere of trust should be ensured.

Sexuality education based on gender sensitivity also contributes to students' sense of safety. Based on these general requirements, sex education should respect the following benchmarks: gender equality and non-discrimination, adopting a holistic child perspective, involving the child in the process of developing teaching materials.

The quality of sexuality education is improved through the participation of young people. Pupils are not passive beneficiaries of sexuality education, but on the contrary, they play an active role in the organisation, delivery and evaluation of sexuality education. This ensures that sex education is needs-driven and not just driven by the agenda set in advance by teachers.

In various contexts, peer-to-peer education - as a particular way of involving young people - has proved successful, particularly in addressing hard-to-reach groups. However, it is important to consider that peers also need to be trained when involved in sexuality education.

The interactive exchange between teachers/trainers and curriculum developers on the one hand and students on the other takes place at different levels and starts with the awareness that students need to be respected and approached as partners in sexuality education. Their experiences, needs and desires also need to be taken into account, as they are of central importance when it comes to determining the topics and issues to be addressed by sex education.

Teaching sexuality education requires the use of language appropriate to the child/young person. This should enable pupils to acquire the appropriate vocabulary to improve their communication skills in the field of sexuality.

Communication is essential in sexuality education; from a practical point of view, this means that the trainer has to give up his/her basic function and act more as a facilitator to create the conditions for open communication between learners and to stimulate discussion. In this way, students can formulate their own point of view and reflect on their own attitudes. Finally, but last but not least, teamwork involves using different methods in the classroom to take into account the preferences of each student and to address all the senses. Music and drama/cinematography activate different learning strategies and potentials and appeal to the learner in a more direct way.

Education on sexuality is taught continuously and is based on the understanding that sexual development is a lifelong process. Education on sexuality is not a one-off event, but is project and/or process based and responds to changing situations in students' lives. It is closely linked to the concept of age appropriateness: topics recur and information is provided according to the age and developmental stage of the learner. Adolescents should only receive health and counselling services that are sensitive to their needs, easily accessible and confidential. Young people need to be aware of these services and establish relationships of mutual respect and trust with staff so that they feel able to access these services when they need them.

The continuity of education on sexuality over time is complemented by the multi-sectoral framework. Education on sexuality in schools is linked to other sectors by establishing cooperative relationships with partners in and outside the school, for example with health centres and counselling centres, to name but two. In the narrower sense applicable to the school setting, sex education should be taught in a cross-curricular/interdisciplinary way. Different topics may touch on different but equally important issues.

Education on sexuality does not take place in a vacuum, but is closely linked to the learner's environment and the specific experiences of the target groups. The social and cultural context of pupils is very different and this needs to be carefully considered (there is no one-size-fits-all approach). Age, gender, social context, sexual orientation, stage of development and individual ability of the learner are other factors of great influence on the success of the course. The specific curriculum and universal human rights on which sex education should be strictly based provide broader frameworks in which the scope and content of sexuality education are predetermined.

Education on sexuality establishes close cooperation with parents and the community to build a supportive environment. Parents are involved in sexuality education in school, which means that they will be informed before sexuality education is taught and thus have the opportunity to express their wishes and reservations. Schools and parents support each other to ensure continuity in sexuality education. Cooperation with other constituents (in public and religious youth work, youth welfare, health services, counselling centres, religious groups) in the field of sex education is also beneficial.

Education on sexuality relies on gender sensitivity to ensure that different gender needs and concerns are adequately addressed, e.g. gender differences in learning modalities or in approaching sexuality-related topics are reflected in the choice of appropriate methods. One

way of doing this is by temporarily separating by gender and appointing teaching teams of one man and one woman.

At the core of sexuality education is the competence of teachers. However, it is important to emphasise that teachers who teach sexuality education do not necessarily have to be high-ranking professionals. Teachers responsible for teaching sex education should ideally be trained to do so. If no trained teacher is available, this should not be an argument for not teaching sex education. Even in such circumstances, sex education should be introduced, with training for teachers along the way.

In organising the training, programmes should take into account the level at which the teacher/educator will teach sexuality education - the requirements vary according to the type of school and age group, for example, an educator requires a different level of training from a high school teacher.

Competent teachers need training in the field of sexuality education, as well as loyalty to the subject and a high motivation to teach: they must firmly believe in the principles of sexuality education mentioned above. This implies that school administrations should not put pressure on people who are not willing to teach sexuality education; instead, teachers should be encouraged and supported.

An important prerequisite is the willingness of teachers to reflect on their own attitudes towards sexuality, values and societal norms, as they will serve as role models for students. Teachers involved in teaching sexuality education need support structures and should also have access to mentoring support.

Educators promote skills development through sexuality education while teaching sexuality education, educators should provide facts as well as help students develop appropriate attitudes and skills. Communication, negotiation, self-analysis, decision-making and problem-solving skills are at the heart of quality sexuality education.

Teachers and peer educators consistently use neutral language when talking about sexual issues so as not to offend students and to respect their boundaries. They firmly base sexuality education on human rights and acceptance of diversity - therefore they consider sexuality to be human rights and diversity education. The role, understanding and training of teachers, and the structural framework within which they operate, are extremely important for high-quality sexuality education.

This situation is also deduced from the report "Sexuality education in the Republic of Moldova - how does school do it and what can be different?" conducted by the Children's Platform, guided by the Centre for Information and Documentation on the Rights of the Child (CIDRC) and supported by OAK Foundation, Workshop for Civic Initiatives Foundation, Sweden and Save the Children²⁵. Through the conclusions of the Report.

Following the drafting of the Report, the following conclusions were drawn.

- In the rural areas education on sexuality takes place earlier than in urban areas;
- It is usually discussed in general terms, without addressing concrete issues in the field of sexuality education;
- Education on sexuality starts at a rather late stage;
- Parents mostly do not feel able to discuss sexuality education with their children;
- Society's reluctance is still an impediment to the implementation of sexuality education;

²⁵https://drepturilecopilului.md/files/educatia_sexuala_cum_o_face_scoala_si_ce_poate_fi_diferit.pdf

- Teachers are not provided with sufficient teaching material to address the related areas of sexuality education;

At the same time, the working group for the report presented a set of recommendations for state institutions:

- To introduce progressively/gradually the subject Sexuality Education as a core subject, but without an assessment system. Address sex education subjects from kindergarten;
- To include the following topics in the sex education curriculum: healthy relationships, sensuality, gender identity, reproductive health, sexually transmitted infections (STIs), abuse prevention and others, taking into account the interest and needs of children at each developmental stage;
- To develop information support accessible to all teachers on sexuality education;
- To train teachers/professors on curriculum content, working methods, relevant behaviours in situations of embarrassment, observation, understanding and awareness of both personal and students' reactions;
- Systematically to consult students' opinions on how sexuality education is carried out in school, how it can be improved and to take into account students' recommendations when organising sexuality education classes;
- To provide information support and assistance to the working group for the formation of the curriculum with the above mentioned subjects;
- Through the Health Centres, to inform parents on how to approach sexuality education with their children;
- To train family doctors and other health workers about sexuality education and how they can support parents to discuss sexuality education with their children;
- To organise lessons in an interactive way, through presentations, free discussions, which would engage the interest of the students;
- To create a safe space in which to encourage students to talk openly about questions/difficulties they have in relation to sexuality education;
- To provide answers to students' questions/concerns, even if they do not relate to the topic of the lesson. If they do not know an answer, be honest and announce this, then inquire and come back with an answer based on truthful information.

Conclusions:

In the context of the above, we show the following conclusions:

- "Education for the rights of the child" is one of the chapters of the curriculum and, respectively, of the textbooks Education for Society;
- The content of Education for the rights of the child does not meet the requirements of the UN Convention on the Rights of the Child. It is a subject about human/child rights but not about the child as a holder of rights and freedoms;
- Educational institutions do not have a sufficient number of "Education for Society" textbooks;
- Teachers have basic qualifications in other fields and do not have advanced knowledge in the required field;
- The curriculum has not been developed with the involvement of children;
- Education on sexuality is a taboo subject in the national education system. School curriculum contains insufficient information on the subject.
- The subject of sexuality education meets with reluctance from educational institutions and civil society.

- The competent authorities do not implement the holistic approach based on the interests of the child;

Recommendations:

In the context of the above, we show the following recommendations:

- Reviewing the school curriculum on the subject of Human/Child Rights Education;
- Adjusting the school curriculum on the subject of Education for the Rights of the Child to the requirements of the UN Convention on the Rights of the Child with a comprehensive approach to all the rights set out in the Convention.
- Approach based on the rights of the child as holder of rights and obligations;
- Education for the rights of the child must be centred on the child as a rights holder, with information on defence mechanisms;
- Including the subject "education on sexuality" in the school curriculum
- Developing "Education for society" textbooks for all levels of general education;
- Providing educational institutions with a sufficient number of textbooks;
- Involving children in the process of developing national programmes of study on the rights of the child and education on sexuality;

- Initial and in-service training of teachers who are to teach subjects related to the rights of the child;
- Involving professionals from other education-related fields to conduct sexuality education classes;
- Closer collaboration between teachers and parents in order to improve the delivery of sexuality education classes;
- Involving civil society in the process of teaching sexuality education;
- Providing all study grades with textbooks on "Education for Society";
- Creating a separate specialisation within specialised university institutions in the field of teacher training in the field of the rights of the child/human rights and child rights related subjects.