

The right to education in the context of digital transformation

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Abstract

Education represents a fundamental pillar of society and a right that shapes the lives of citizens. For this reason, particular attention must be given to the quality of the exercise of this right and to the transformations that have influenced its development and understanding.

This paper aims to analyze human rights, with a specific focus on the right to education, highlighting the evolution and consolidation of its normative framework at the international, regional, and national levels. The foundations of this framework are established by the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as by the regional mechanisms enshrined in the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights. The analysis also addresses the constitutional and legislative recognition of the right to education in Romania. Furthermore, the study correlates this fundamental right with Sustainable Development Goal 4 within the framework of the 2030 Agenda for Sustainable Development, examining progress and trends identified in recent sustainable development reports, as well as persistent gaps in terms of access to and quality of education.

Building upon this normative foundation, the paper also approaches the right to education from a practical and contemporary perspective. Technology has become an integral part of citizens' lives and increasingly influences the educational sphere. Therefore, it is essential to examine the role of technology in facilitating access to education and the ways in which it contributes to the effective realization of this right by providing quality education. The study also analyzes how technology shapes the educational process, emphasizing both its potential to personalize learning and expand access, and the risks associated with digital exclusion, data protection concerns, and the deepening of inequalities.

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1. Introduction

Education represents a fundamental pillar of society and an essential right that directly impacts the lives of citizens. It is considered the main driving force enabling the transition from theoretical ideals to their implementation in social reality. Over time, the perception of education has undergone significant transformations, evolving from a domain accessible based on subjective criteria to a well-established right essential for the proper functioning of the community. The consolidation of this right has required continuous efforts in regulation at international, regional, and national levels.

The foundations of this legal framework are anchored in landmark documents that recognize education as a fundamental human right, emphasizing its compulsory and free nature at the elementary level. These legal instruments not only guarantee access but also highlight the role of education in the full development of human personality and the respect for fundamental freedoms. At the national level, this commitment is reflected in constitutional provisions that ensure equal and non-discriminatory access for all citizens to various forms of training and professional development. In contemporary times, the focus has shifted from merely formally recognizing the right to ensuring its quality and promoting lifelong learning. Education is no longer seen solely as a right in itself but as a strategic tool essential for reducing social inequalities and poverty. This vision is embedded in global sustainable development agendas, which aim to create inclusive and equitable educational systems.

A major challenge of the current century is digital transformation, which has become an integral part of human life and profoundly influences the educational sphere. Technology has the potential to facilitate access to knowledge and make the learning process more efficient, yet it also requires a reevaluation of how this right is exercised.

2. Legal Framework Governing the Right to Education

The transition from theoretical ideals to their implementation in social reality depends fundamentally on a single driving force: education. Education, since the earliest times, has been a pathway to evolution, development, and a deeper understanding of both the surrounding environment and human nature. Although this right did not always exist, and was once accessible only on the basis of entirely subjective criteria, today we benefit from a well-established right that is essential to society.

Education is a fundamental human entitlement that plays a crucial role in reducing poverty, narrowing social disparities, and fostering sustainable development. Nevertheless, around 244 million children and young people across the globe remain outside the education system due to social, economic, and cultural barriers.

¹ Investing in education represents one of the most enduring and impactful forms of long-term development. The right to quality education is firmly enshrined in the Universal Declaration of Human Rights and in numerous international legal frameworks, many of which have been shaped through the efforts of UNESCO and the United Nations.²

Looking back to Antiquity and the Middle Ages, we observe that education was reserved for the ruling elites, the aristocracy, or the clergy, while the majority of the population had no access to formal schooling. There were a few exceptions, such as Vasile Lupu, through the founding of the Vasilian Academy, and Iacob Heraclid Despotul, through the establishment of the school at Cotnari. However, it is important to emphasize that the policies of these rulers did not follow a clear direction regarding the creation of educational environments for the instruction of the country's youth.³ As a result, the vast majority of the population was, in practice, illiterate.⁴

The concept of the right to education was established for the first time at the international level in the Universal Declaration of Human Rights, adopted on December 10, 1948, by the United Nations. Article 26 of the Declaration explicitly states that "everyone has the right to education," establishing the free and compulsory nature of elementary education and emphasizing the role of education in the full development of the human personality and in fostering respect for fundamental rights and freedoms.⁵ The 1948 Declaration is the first document to explicitly formulate the right to education as a fundamental human right and also specifies that parents may choose the type of education their children receive. Seventy-seven years after the adoption of the Universal Declaration of Human Rights, now translated into more than 500 languages, this document remains a symbolic milestone; however, its core objectives, such as dignity, equality, and justice, cannot be fully realized without a continuous and sustained educational process.⁶ Similarly, the 1966 International Covenant on Economic, Social and Cultural Rights details the obligations of states to ensure progressive access to various forms of education, including secondary and higher education. Furthermore, the

¹ See UNESCO, *The right to education*, <https://www.unesco.org/en/right-education>, Accessed on 2nd of March, 2026.

² *Idem*.

³ Ana-Maria Goldan, *Garantarea dreptului la educație-analiză comparativă între sistemul de învățământ tradițional și sistemul e-learning*, *Analele Științifice ale Universității „Al.I. Cuza” Iași Tomul Lxiii, Științe Juridice*, 2017, Nr. II, p. 127.

⁴ Nicolae Iorga, *Istoria învățământului românesc*, Editura Științifică și Enciclopedică, București, 1985, p. 10.

⁵ See United Nations General Assembly, *Universal Declaration of Human Rights* (Resolution 217 A [III]), 1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>, Accessed on 2nd of March, 2026.

⁶ Irina Moroianu Zlătescu, *Education for a democratic culture and human rights*, CIEA, 2018, p. 325.

1989 Convention on the Rights of the Child reaffirms the importance of education for the harmonious development of the child. Another significant international document regarding this right is the 1960 Convention against Discrimination in Education. The Convention reaffirms that education is a fundamental human right rather than a privilege, underscoring states' obligations to guarantee free and compulsory schooling, eliminate all forms of discrimination, and ensure equal access to educational opportunities, marking a turning point in the democratization of access to education.⁷ It is the first international legal instrument fully dedicated to the right to education, and it is recognized as a cornerstone of the Education 2030 Agenda, serving as a key tool for promoting inclusive and equitable quality education for all, through a distinct SDG, Quality Education (SDG 4), which aims to ensure inclusive, equitable, and high-quality education for everyone.

Thus, whereas the initial focus was on the formal recognition of this right and access to primary education, today the aim is to expand the scope of the right to education, with greater emphasis on the quality of education, the inclusion of vulnerable groups, and, above all, the promotion of lifelong learning. Learning is therefore aimed at developing competencies, which essentially means acquiring knowledge, skills, abilities, and habits. We can understand, consequently, that education is no longer just a right but, more importantly, an instrument whose long-term impact is reflected in the reduction of poverty and the alleviation of social inequalities.⁸

In Romania, the right to education is guaranteed by the Romanian Constitution, which emphasizes in Article 32 that *"the right to education is ensured through general compulsory education, through secondary and vocational education, higher education, as well as through other forms of training and professional development."* The state also guarantees free public education, under the conditions established by law, and ensures equal access to education for all citizens without discrimination. The organization and functioning of the educational system are regulated by national legislation, which establishes the structure of education, the curriculum, and the rights and responsibilities of participants in the educational process.

3. Quality Education and Recent Trends in the 2030 Agenda: SDG 4

The dawn of the 21st century saw an ambitious attempt to tackle poverty and infant mortality through the Millennium Development Goals. Yet, these goals often treated the symptoms rather than the disease, overlooking factors like corruption

⁷ See UNESCO, *Convention against Discrimination in Education*, <https://www.unesco.org/en/right-education/convention-against-discrimination?hub=70224>, Accessed on 2nd of March, 2026.

⁸ Jamilah Laidin, Noor Zahirah Mohd Sidek, *The Role of Education in Mitigating Income Inequality: A Conceptual Framework*, International Journal of Research and Innovation in Social Science (IJRISS), Volume IX, Issue XV, July 2025, p. 910

and a lack of peace.⁹ This changed in September 2015 with the adoption of the 2030 Agenda. With 17 goals and 169 targets, this „Transforming Our World” roadmap addresses a much broader spectrum of societal needs. Crucially, it integrates the principles of human rights and environmental stewardship, recognizing that lasting progress is impossible without peace and global cooperation.

The 2030 Agenda for Sustainable Development was born from a commitment to „leave no one behind.” This vision materialized during the September 2015 intergovernmental negotiations and was subsequently ratified by the UN General Assembly as a global roadmap for progress. One of the international goals assumed by the United Nations is the one regarding education, through 10 important targets and 11 indicators through which the public, private, and civil society sectors together exert efforts to ensure an inclusive, equitable, and quality education and to promote lifelong learning for all by 2030.¹⁰ The Sustainable Development Goals of the 2030 Agenda are interconnected, and the progress of one can contribute also to the progress of another, so that the growth of SDG 4 can directly support the decrease of poverty.¹¹ Moreover, this goal assumes an important and broad mission regarding education, outlined as a system that promotes equality, inclusion, and continuous learning, ensuring equal chances of success for all students, regardless of their background or personal characteristics.¹²

In the context of human rights, it is to be noted that approximately half of the SDG indicators are directly relevant for their monitoring, and the majority of the other SDGs have indirect or contextual relevance, with only a very small percentage requiring further clarifications, estimates made by the Danish Institute for Human Rights in the 2019 Report.¹³ Therefore, regarding SDG 4, this is the only goal whose indicators have a direct relevance to human rights, but nevertheless, the importance of state involvement regarding data collection is emphasized to provide as clear a picture as possible regarding reality (See Table 1).¹⁴

⁹ See Bettelli Pietro, *What the World Learned Setting Development Goals*, International Institute for Sustainable Development, 2021, <https://www.iisd.org/articles/deep-dive/what-world-learned-setting-development-goals>, Accessed 4th of March, 2026.

¹⁰ United Nations, *Transforming our world: the 2030 Agenda for Sustainable Development*, UN Doc A/RES/70/1. United Nations, Sustainable Development Goals, 2015.

¹¹ See Quality Education SDG 4, United Nations, <https://www.un.org/sustainabledevelopment/education/>, Accessed on 28th of February, 2026.

¹² Donatella Padua, *Artificial intelligence and Quality Education: The Need for Digital Culture in Teaching*, *Journal of Educational, Cultural and Psychological Studies*, December 2024, p. 182.

¹³ Birgitte Feiring, Saionara König-Reis, *Indicators and Data for Human Rights and Sustainable Development: A Practical Approach to Leaving No One Behind*, The Danish Institute for Human Rights, 2019, p. 6.

¹⁴ *Ibidem*, p. 10.

Tabel 1. Relevance of SDG indicators to Human Rights

Goal	Directly relevant to HR	Indirectly relevant to HR	No direct HR reference	Pending additional metadata
1	13	0	1	0
2	4	1	8	0
3	25	2	0	0
4	11	0	0	0
5	12	2	0	0
6	3	2	6	0
7	1	0	5	0
8	7	2	8	0
9	1	1	10	0
10	5	3	3	0
11	8	1	6	0
12	2	2	7	2
13	6	1	1	0
14	1	1	8	0
15	1	0	13	0
16	16	4	3	0
17	4	6	14	1

Source: Adapted from the table in *Indicators and Data for Human Rights and Sustainable Development: A Practical Approach to Leaving No One Behind*, The Danish Institute for Human Rights, 2019, page 10.

For example, in the context of this article, it is important to emphasize the connection between human rights and the 2030 Agenda, especially the right to education. Regarding the Sustainable Development Report 2025, it highlights the fact that out of the total of 169 SDG targets, 139 of them were evaluated, and the results indicated that 35% are progressing (18% are on track, 17% are making moderate progress), 48% indicate insufficient progress (31% represent marginal progress, while 17% have stalled), and 18% have regressed and are below the level established in 2015.¹⁵ In this regard, an important role in slowing down the progress of achieving this goal is also caused by the COVID-19 pandemic. Furthermore, looking at SDG 4, Quality Education, although we can talk about progress when looking at equal access to education, or even education facilities and ODA for scholarships, nevertheless, according to data from the 2015-2024 interval, major challenges remain regarding access, learning quality, as well as systemic inequalities (see Table 2). Some of the important aspects, among those mentioned in the Report¹⁶, in the context of the slowed pace of progress, to be emphasized are:

- In low-income countries, 36% of youth are out of school, compared to only 3% in wealthy countries;

¹⁵ United Nations Department of Economic and Social Affairs, *The Sustainable Development Goals Report 2025*, New York (revision August 2025), 2025, p. 4.

¹⁶ *Ibidem*, pp. 16-17.

- Although 90% of the population in monitored countries uses the internet, many users lack essential digital skills (only 57% master digital safety);
- The global rate has increased to 88%, yet 754 million adults are still illiterate, of whom 63% are women;
- Girls tend to complete their studies at a higher rate than boys, but in regions such as Sub-Saharan Africa, they remain severely disadvantaged;
- In Least Developed Countries, over 50% of schools lack electricity and over 66% lack digital tools.

Tabel 2. Representation of SDG progress by target

Target	Assessment
4.1 Effective learning outcomes	Stagnation
4.2 Early childhood education	Stagnation
4.3 TVET and tertiary education	Stagnation
4.4 Skills for employment	Insufficient data
4.5 Equal access to education	On track or target met
4.6 Adult literacy and numeracy	Insufficient data
4.7 Sustainable development education	Insufficient data
4.a Education facilities	Marginal progress, and significant acceleration needed
4.b ODA for scholarships	Moderate progress, but acceleration needed
4.c Qualified teachers	Regression

Source: Adapted from the table in United Nations Department of Economic and Social Affairs, The Sustainable Development Goals Report 2025, New York (revision August 2025), 2025, p. 44.

Looking at the trends up to 2030, the statistics emphasize that in order to meet national targets by 2030, countries must enroll 1.4 million children annually in the early childhood education system, admit a new child to school every 2 seconds until 2030, and triple the annual progress regarding primary education completion rates.¹⁷ Thus, looking at the current monitored status for this SDG, as well as future trends, especially considering that the year 2030 is very close and the planning made at the international level is not sufficiently met by the year 2026, it is considered important that in order to fulfill Goal 4, it is necessary for governments to prioritize investments in education through inclusive policies, the guarantee of free and compulsory education, the improvement of infrastructure, and the increase in the number of qualified teachers. In the context of the 2025 Human Development Report, prepared by the United Nations Development Programme (UNDP), it is highlighted that education has been and continues to be one of the fundamental pillars of human development, also measured through indicators

¹⁷ See Sustainable Development Goal, Goal of the Month – Goal 4: Quality Education, United Nations, <https://www.un.org/sustainabledevelopment/goal-of-the-month-goal-4-quality-education-2/>, Accessed on 28th of February, 2026.

such as mean years of schooling and expected years of schooling. The report emphasizes that countries are affected by inequalities, particularly regarding access to quality education, as well as the negative impact of recent global crises on educational systems.¹⁸ That being said, the role of adapting education to technological transformations, especially in the context of the development of artificial intelligence, is becoming increasingly important. This also entails promoting and integrating programs aimed at developing digital skills and preparing education systems to effectively support lifelong learning.

4. Opportunities and Challenges of Digital Transformation in Education

When we talk about digital transformation in education, it refers to the integration of digital technologies, pedagogical innovation, and systemic policy reform, with the aim of enhancing learning experiences, accessibility, and educational outcomes. At a global level, this transformation is reshaping how education is delivered, accessed, and governed, with profound implications for the realization of the right to education.¹⁹ It is very important to note that the COVID-19 pandemic accelerated digital adoption, exposing both the potential and the persistent inequities in digital education.²⁰ Thus, while digital tools can democratize access and foster lifelong learning, they also risk deepening divides if not accompanied by inclusive policies, robust infrastructure, and legal safeguards.²¹

Regarding the opportunities of digital transformation, these depend on how it is implemented and governed. From a technological perspective, innovations such as artificial intelligence, virtual reality, and blockchain are fundamentally reshaping the learning experience: AI-powered adaptive systems personalize content for each student; virtual reality creates immersive classrooms that transcend geographical barriers; and blockchain ensures secure and verifiable academic credentials.²² Importantly, these technologies have significant potential for students with disabilities and those from marginalized communities, enhancing accessibility.²³

From a pedagogical perspective, we are witnessing a shift from a teacher-centered model to a student-centered one, focused on competencies and oriented

¹⁸ UNDP, *Human Development Report 2025: A matter of choice: People and possibilities in the age of AI*, New York, p. 72.

¹⁹ Sangotra, Dilip I., et al., *Digital Innovation in Higher Educational System: Application of Information and Communication Technology*, AI-Powered Educational Games and Simulations, edited by Saima Munawar and Nasir Naveed, IGI Global Scientific Publishing, 2026, pp. 367-390.

²⁰ Richard Blundell et al., *COVID-19 and Inequalities*, Fiscal studies 41, no. 2, 2020, pp. 291-319.

²¹ Kaputa, V., Loučanová, E., Tejerina-Gaite, F.A. *Digital Transformation in Higher Education Institutions as a Driver of Social Oriented Innovations*. In: Păunescu, C., Lepik, KL., Spencer, N. (eds) *Social Innovation in Higher Education. Innovation, Technology, and Knowledge Management*. Springer, 2022, pp. 70-71.

²² Zou Y, Kuek F, Feng W and Cheng X, *Digital learning in the 21st century: trends, challenges, and innovations in technology integration*, Front. Educ, 2025, p. 3.

²³ *Ibidem*, p. 5.

toward lifelong learning. In this context, online and hybrid environments enable flexible, self-paced study, which is essential in a constantly evolving economy.²⁴ However, for these benefits to reach everyone, institutional strategies and public policies must prioritize equity, which translates into digital literacy programs, continuous teacher training, universal design for learning, and strategic partnerships between the public and private sectors as well as international organizations.²⁵

However, it is important to address not only the opportunities but also the obstacles, as digital transformation in education is shaped by a series of significant challenges that directly affect the effective realization of the right to education.

The 2020 Country Report for Romania highlights that, despite ongoing policy efforts, the digitalization of the economy continues to lag behind. Notably, over one-fifth of the population has never used the internet, while less than one-third possesses at least basic digital skills²⁶.

One of the most critical issues is the digital divide, reflected in persistent disparities in access to devices, connectivity, and digital skills, which disproportionately affect vulnerable groups such as students from disadvantaged backgrounds, rural areas, and persons with disabilities.²⁷ Additionally, limited accessibility to digital educational resources, the lack of assistive technologies, and inadequate infrastructure all restrict equal participation in the learning process, while inequalities are further exacerbated by socioeconomic factors and underdeveloped public policies that fail to address the diversity of social and cultural contexts.²⁸

Last but not least, another major obstacle is the insufficient training of teachers and their resistance to adopting new pedagogical methods. It is worth noting that many teachers lack the necessary digital skills or adequate institutional support, which hinders the effective integration of technology into the teaching process.²⁹

5. Conclusions

The analysis of the right to education in the era of digital transformation highlights that the success of this process depends on a harmonious integration of legal frameworks, pedagogical innovation, and public policies. Education remains the cornerstone of human development, yet its effectiveness is closely linked to the

²⁴ *Ibidem*, p. 8.

²⁵ *Op. cit.*

²⁶ Ministry of Investments and European Projects. Romania's National Recovery and Resilience Plan. 2021. PDF. Ministry of Investments and European Projects. Accessed March 22, 2026. <https://mfe.gov.ro/wp-content/uploads/2021/10/facada6fdd5c00de72eecd8ab49da550.pdf>

²⁷ Sadiki, Marubini Christinah, Nthabiseng Istorina Mahetlana, *Bridging the Digital Divide and Improving Access for Students With Disabilities in Higher Education, Leveraging AI for Inclusive and Equitable Development*, edited by Swati Chakraborty, IGI Global Scientific Publishing, 2026, pp. 315-348.

²⁸ *Op. cit.*

²⁹ Ana Luisa Rodrigues, *Digital technologies integration in teacher education: the active teacher training model*, Journal of E-Learning and Knowledge Society, 2020, pp. 24-33.

ability of educational systems to adapt to new technological realities without compromising the principles of equity and inclusion. Although the legislative framework provides solid protection, practical implementation faces significant obstacles, exacerbated by recent global crises that have tested the resilience of education systems. Progress toward quality education for all requires more than the formal recognition of theoretical objectives; it demands a clear prioritization of investments in infrastructure and human capital. Without inclusive policies and adequate support for educators, the promise of universal education risks remaining unfulfilled.

Technology serves as a powerful catalyst for democratizing access to learning, offering tools that can personalize the educational experience and overcome geographic or physical barriers. At the same time, it can also become a source of new inequalities. The digital divide, reflected in disparities in access to devices and essential skills, represents one of the most critical challenges today, particularly affecting vulnerable groups. Ensuring the effective realization of the right to education in this context requires not only the adoption of technology but also measures to protect data and mechanisms to prevent exclusion.

In conclusion, the future of education depends on a learner-centered approach that leverages digital opportunities ethically and responsibly. It is imperative that states develop strategies to support lifelong learning and prepare citizens for a constantly evolving economy. It is important to understand that through sustained cooperation together with a commitment to leaving no one behind digital transformation can be turned from a challenge into a major advantage, ensuring a better exercise of the right to education for every individual, regardless of their socio-economic context.

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