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THEME: **General Issues** Education and Globalization

TITLE:

Developments for the contribution by the new technologies in the right to education -
an European law approach

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ABSTRACT:

The importance of the right to education as a fundamental right and an instrument of democracy is still underlined by recent documents of the European Union (EU) and so the authors present a development of a previous study.

The right to education is legally written both at the level of national law of member States, in constitutional texts and at the level of international law, is with the documentation of the European Union that results in emphasizing the importance of

education for the whole Democratic and economic system and also for the value of rule of law.

The right to education, as well as the right to vocational and continuing training – long life education –, as mentioned, deserve the attention of the latest documents of the European Union which, many of them although they do not possess the dignity of legislative acts (as soft law), shape Member States' guidance in their performance.

Thus valued, the right to education arises as a conditioning factor in the widest subjects. With the use of digital technologies, education systems become facilitators and promoters of skills development, namely knowledge (hard skills) and behavioral skills (soft skills), essential in exercising democratic ideals and the value of the rule of law. However, this raises the problem of access to these same technologies and their possible use in education to articulate, participate and shape the future of a Europe characterized by democracy, solidarity and inclusion.

What contribution can the referred digital technologies provide to a more effective realization of the constitutionally recognized right? The discussion is still recent. Digital technology enriches learning in many ways and offers several learning opportunities, but how to guide it?

The value of the rule of law is as a priority in Europe as we speak. But it turns out that, in it, the realization of the right to education is not yet achieved in its fullness. It will also be through the policy of education and training that the common values and the general principles of law remain. The focus of intervention by the State and the international community has also been a necessity and priority.

In its various rule of law protection mechanisms, the Union stresses the importance of digital media and their use to pursue this essential value.

The research intends to focus on the legislative documents from 2018 to 2022 dedicated to using digital technologies valorization to achieve this right. The theoretical-academic penchant is consolidated through systematic normative interpretation and has as pure intent the expansion of knowledge in research in a qualitative and exploratory approach without presenting quantitative data, the aim is to bring continuously to discussion and debate the role, value, and capacity of the use of digital technologies in enforcing a positive right that depends on the state's actions for its implementation.

Being certain of the importance of education as a vehicle of promoter of democratic values and for the realization of other public policies, the adequacy of the teaching system to new technological demands arises as a challenge and a need for which

there is still a long way to go, which is the way of the mere documentary consecration by the institutions of the European Union.

Key words: right to education; information and communication technologies; rule of law; European Union.

References:

CANOTILHO, J. J. Gomes; MOREIRA, Vital, CRP Constituição da República Portuguesa Anotada. 4.^a edição. Coimbra Editora, 2007. Obra completa ISBN 978-972-32-1464-4.

SILVA, Maria Manuela Magalhães e ALVES, Dora Resende. *Noções de Direito Constitucional e Ciência Política*. 4.^a edição, Lisboa, Rei dos Livros, 2022.

Silva, M. M. M., & Alves, D. R. (2022). Education for the value of rule of law in the European Union. In L. Gómez Chova, A. López Martínez, & J. Lees (Eds.), Proceedings of EDULEARN22 Conference: 14th International Conference on Education and New Learning Technologies, Palma, Mallorca, Spain, 4th-6th July 2022, (pp. 7008-7014). IATED. 10.21125/edulearn.2022.1646. Repositório Institucional UPT. <http://hdl.handle.net/11328/4353>

SILVEIRA, Alessandra e CANOTILHO, Mariana (coordenação): *Carta dos Direitos Fundamentais da União Europeia - comentada*. Almedina, 2013. ISBN 978-972-40-5120-8.

Documents

Comunicação da Comissão ao Parlamento Europeu, ao Conselho, ao Comité Económico e Social Europeu e ao Comité das Regiões *sobre a revisão intercalar relativa à aplicação da Estratégia para o Mercado Único Digital Um Mercado Único Digital conectado para todos*, documento COM(2017) 228 final de 10.05.2017.

Comunicação da Comissão ao Parlamento Europeu, ao Conselho, ao Comité Económico e Social Europeu e ao Comité das Regiões, documento COM(2018) 22 final de 17.01.2018.

Parecer do Comité das Regiões Europeu 2018/C 461/08 sobre o Plano de Ação para a Educação Digital, JOUE C 461 de 21.12.2018, pp. 52 a 56.

Comunicação da Comissão ao Parlamento Europeu, ao Conselho, ao Comité Económico e Social Europeu e ao Comité das Regiões. *Relatório de 2021 sobre o Estado de Direito – a situação do Estado de direito na União Europeia*. Documento COM(2021) 700 final de 20.07.2021

Comunicação da Comissão ao Parlamento Europeu, ao Conselho, ao Comité Económico e Social Europeu e ao Comité das Regiões *Garantir a aplicação da legislação da UE para que a Europa concretize os compromissos assumidos*. Documento COM/2022/518 final de 13.10.2022.

- Abstract Submission Deadline: **November 17th, 2022. (included) (*)**
- Notification of Acceptance/Rejection: **December 20th, 2022.**
- Final Paper Submission Deadline: **January 12th, 2023. (included) (*)**
- Registration deadline for authors: **January 12th, 2023. (included) (*)**
- Virtual presentation deadline: **February 9th, 2023. (included) (*)**
- Conference Dates: **Valencia (Spain), March 6th-7th-8th, 2023.**