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HUMAN RIGHTS COUNCIL
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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Albania*, Argentina, Austria*, Belgium*, Bolivia, Bosnia and Herzegovina,
Brazil, Bulgaria*, Canada, Chile, Colombia*, Costa Rica*, Croatia*, Cuba,
Cyprus*, Czech Republic*, Chile, Denmark*, Dominican Republic*,
Ecuador*, Estonia*, France, Germany, Greece*, Honduras*, Hungary*,
Ireland*, Italy, Latvia*, Lithuania*, Luxembourg*, Maldives*, Malta*,
Mexico, Monaco*, Montenegro*, Morocco*, Netherlands, Nicaragua,
Norway*, Panama*, Peru*, Poland*, Portugal*, Romania*, Serbia*,
Slovakia, Slovenia, Spain*, Sweden*, Switzerland, Thailand*, the former
Yugoslav Republic of Macedonia*, Uruguay, Venezuela (Bolivarian
Republic of)*: draft resolution**

11/... The right to education: follow-up to Human Rights Council resolution 8/4

The Human Rights Council,

Reaffirming its resolution 8/4 of 12 June 2008, and recalling the resolutions adopted by the
Commission on Human Rights on the right to education,

* Non-member State of the Human Rights Council.

Reaffirming also that everyone should enjoy the human right to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Mindful of recent significant developments and remaining challenges in the promotion and protection of economic, social and cultural rights at the national, regional and international levels,

Deeply concerned that, on current trends, some key goals of the Education for All initiative agreed upon at the World Education Forum, held in Dakar in April 2000, will not be achieved by 2015, including the goal of universal primary education, despite progress made in recent years towards achieving such goals,

1. *Calls upon* all States to take all measures to implement Council resolution 8/4 with a view to ensuring the full realization of the right to education for all;

2. *Welcomes* the work of the Special Rapporteur on the right to education, in particular his report on the right to education of persons in detention in the criminal justice system;

3. *Also welcomes* the work of the United Nations treaty bodies in the promotion of the right to education, and notes with interest the holding, by the Committee on the Rights of the Child, of a general discussion day on the theme “The right of the child to education in emergency situations”;

4. *Further welcomes* the contribution of the United Nations Children’s Fund and that of the United Nations Educational, Scientific and Cultural Organization towards attaining the Millennium Development Goals of achieving universal primary education and eliminating gender disparity in education and the goals of the Education for All initiative, agreed upon at the World Education Forum;

5. *Welcomes* the convening, by the United Nations Educational, Scientific and Cultural Organization, of four major conferences on education in 2008 and 2009, including the 48th International Conference on Education, held from 25 to 28 November 2008, in Geneva, the World Conference on Education for Sustainable Development, held from 31 March to 2 April 2009, in Bonn, the Sixth International Conference on Adult Education, held in 2009 in Belém, Brazil, and the World Conference on Higher Education, held from 5 to 8 July 2009, in Paris;

6. *Notes with interest* the activities of the joint expert group of the Committee on Economic, Social and Cultural Rights and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization, on the monitoring of the right to education;

7. *Welcomes* the work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

8. *Urges* all relevant stakeholders to increase their efforts so that the goals of the Education for All initiative can be achieved by 2015, including by tackling persistent inequalities based on income, gender, location, ethnicity, language, disability and other factors, and notes the role that good governance can play in this regard;

9. *Stresses* the need for cultural and educational programmes to be developed with a view to raise awareness on human rights, and urges States to intensify their efforts in this regard;

10. *Urges* all States to ensure the right to education of persons in detention in the criminal justice system as an imperative in its own right, and to provide appropriate education to foster reintegration into society and help reduce recidivism, including by making every effort:

(a) To ensure equal access to education for all female and male detainees;

(b) To develop a coherent policy for education in detention;

(c) To remove barriers to education in detention, including its possible negative impact on opportunities for remuneration in prison;

(d) To make available to all detainees comprehensive education programmes aimed at the development of the full potential of each detainee;

(e) To incorporate human rights education in the programmes;

(f) To develop individual education plans with the full participation of the detainee, taking into account the diverse backgrounds and needs of persons in detention, including women, persons belonging to minority and indigenous groups, persons of foreign origin and persons with physical, learning and psychosocial disabilities, while recalling that a detainee may belong to more than one of these groups;

(g) To integrate education programmes into the public school system, in order to allow for the continuation of education upon release;

(h) To ensure appropriate professional training and working conditions and a safe working environment for teachers in places of detention;

(i) To evaluate and monitor all education programmes in places of detention, and to undertake multidisciplinary and detailed research in this regard;

(j) To share best practices concerning education programmes in detention;

(k) To produce and deliver adequate pedagogical materials for persons in detention, including appropriate opportunities to receive education and training in the use of new information technologies;

(l) To ensure that primary education is compulsory, accessible and available free to all, including to all children in detention or living in prisons;

(m) To ensure curricula and educational practices that are gender-sensitive but not gender-stereotypical in places of detention, in order to fulfil the right to education of women and girls;

11. *Encourages* the Office of the High Commissioner, the treaty bodies, the special procedures of the Council and other relevant United Nations bodies and mechanisms, specialized agencies or programmes, within their respective mandates, to continue their efforts to promote the realization of the right to education worldwide, and to enhance their cooperation in this regard;

12. *Notes with appreciation* the Special Rapporteur's intention to focus his 2010 annual report on the right to education of migrants, refugees and asylum-seekers;

13. *Decides* to remain seized of the matter.
