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HUMAN RIGHTS COUNCIL  
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Agenda item 3

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

**Albania\*, Argentina\*, Austria\*, Belgium\*, Benin\*, Bolivia, Bosnia and Herzegovina, Bulgaria\*, Canada, Chile\*, Costa Rica\*, Croatia\*, Cyprus\*, Czech Republic\*, Denmark\*, Estonia\*, Finland\*, France, Greece\*, Honduras\*, Hungary\*, Ireland\*, Italy, Latvia\*, Liechtenstein\*, Luxembourg\*, Mexico, Montenegro\*, Netherlands, Norway\*, Panama\*, Peru, Poland\*, Portugal\*, Romania, Serbia\*, Slovakia\*, Slovenia\*, Spain, Switzerland, The former Yugoslav Republic of Macedonia\*, Timor-Leste\*, United Kingdom of Great Britain and Northern Ireland,**  
**Uruguay: draft resolution**

#### **8/... The right to education**

*The Human Rights Council,*

*Reaffirming* all previous resolutions of the Commission on Human Rights on the right to education, inter alia, resolution 2005/21 of 15 April 2005,

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\* Non-member State of the Human Rights Council.

*Recalling* that everyone shall enjoy the human right to education, which is enshrined, inter alia, in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and other pertinent international instruments,

*Recalling also* that in the United Nations Millennium Declaration, it is resolved that children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education by 2015, and emphasizing the importance of realizing the right to education in attaining the Millennium Development Goals,

*Affirming* that the realization of the right to education, including for girls and persons belonging to vulnerable groups, contributes to the eradication of poverty and of racism, racial discrimination, xenophobia and related intolerance,

*Deeply concerned* that some 72 million children, 57 per cent of whom are girls and 37 million of whom live in conflict-affected fragile States, are out of school, and that 774 million adults, 64 per cent of whom are women, still lack basic literacy skills, despite progress made in recent years towards achieving the goals of the Education for All initiative agreed upon at the World Education Forum, held in Dakar in April 2000,

*Affirming* that good governance and the rule of law will assist all States to promote and protect human rights, including the right to education,

*Bearing in mind* the need for adequate financial resources so that everyone can realize their right to education, and the importance in this regard of national resource mobilization, as well as international cooperation,

*Recalling* Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the work of the Special Rapporteur on the right to education and takes note of his reports on girls' right to education (E/CN.4/2006/45, as well as Add.1), on the right to

education of persons with disabilities (A/HRC/4/29, as well as Add.1, 2 and 3) and on the right to education in emergency situations (A/HRC/8/10, as well as Add.1, 2, 3 and 4), and of the report of the Secretary-General on economic, social and cultural rights (A/HRC/7/58);

2. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child in the promotion of the right to education, notably through the issuing of general comments and concluding observations and the holding of days of general discussion;

3. *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, including the development of a list of indicators on the right to education;

4. *Also 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. *Further welcomes* the establishment of the Education Cluster by the Inter-Agency Standing Committee in November 2006 as an important mechanism to assess and address, in a coordinated manner, educational needs in emergency situations, including by promoting the implementation of the minimum standards for education in emergencies developed by the Inter-Agency Network for Education in Emergencies, and calls on donors to support it financially;

6. *Welcomes* the proclamation by the General Assembly of the World Programme for Human Rights Education, which began on 1 January 2005, and the continued progress of the United Nations Literacy Decade launched on 13 February 2003;

7. *Urges* all States:

(a) To give full effect to the right to education and to guarantee that this right is recognized and exercised without discrimination of any kind;

(b) To take all appropriate measures to eliminate obstacles limiting effective access to education, notably by girls, including pregnant girls and young mothers, children living in poor communities and rural areas, children belonging to minority groups, indigenous children, migrant children, refugee children, internally displaced children, children affected by armed conflicts, children affected by natural disasters, children with disabilities, children affected by infectious diseases, including HIV/AIDS, sexually exploited children, children deprived of their liberty, children living in the street, working children and orphaned children;

(c) To ensure that primary education is compulsory, accessible and available free to all;

(d) To promote the renewal and expansion of basic formal education of good quality, which includes both early childhood care and education and primary education, using inclusive and innovative approaches, including regulations, to increase access and attendance for all;

(e) To recognize and promote lifelong learning for all, in both formal and informal settings and to support domestic literacy programmes, including vocational education components and non-formal education, in order to reach marginalized children, youth and adults, especially girls and women, and persons with disabilities, to ensure that they enjoy the right to education;

(f) To improve all aspects of the quality of education aimed at ensuring excellence of all persons so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy, essential life skills and human rights education;

(g) To emphasize the development of quality indicators and monitoring instruments, to consider undertaking or supporting studies on best practices for elaborating and implementing strategies for improving the quality of education and meeting the learning needs of all, to give appropriate priority to the collection of quantitative and qualitative data relating to disparities in education, including gender disparities and disparities affecting persons with disabilities, and to carry out surveys and build up a knowledge base in order to provide advice on the use of information and communication technologies in education;

(h) To improve school infrastructure, guarantee a safe school environment and promote school health, education on reproductive health issues and preventive education against HIV/AIDS and drug abuse;

(i) To reinforce the mainstreaming of human rights education, intercultural education and education for peace in educational activities, in order to strengthen respect for human rights and fundamental freedoms;

(j) To adopt effective measures to encourage regular attendance at school and reduce school dropout rates;

(k) To support the implementation of plans and programmes of action to ensure quality education and improved enrolment and retention rates for boys and girls and the elimination of gender discrimination and gender stereotypes in educational curricula and materials, as well as in the process of education;

(l) To adapt education, if necessary, in order to suit the specific needs of women, girls, teenagers and persons with disabilities;

(m) To enhance the status and working conditions of teachers, address shortages of qualified teachers, and promote the training of teachers so that they can respond to diversity in the classroom;

(n) To take all appropriate legislative, administrative, social and educational measures, in accordance with the best interest of the child, to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, and in this context to take measures to eliminate corporal punishment in schools, and to incorporate in their legislation appropriate sanctions for violations and the provision of redress and rehabilitation for victims;

(o) To take all measures to ensure an inclusive education system, inter alia for persons with disabilities and, in particular, to ensure that no child is prevented from receiving free primary education on account of his or her disability;

(p) To ensure that the right to education is respected in emergency situations and, in this regard, underlines the importance of this right being realized by States to the maximum of their available resources, and, where necessary, by international organizations, to the extent possible, and based, *inter alia*, on assessed need by the State concerned, as an integral part of their humanitarian response to emergency situations;

(q) To support the efforts of developing countries, in particular least developed countries, to give full effect to the right to education and achieve the Millennium Development Goals relating to education and the goals of the Education for All initiative agreed upon at the World Education Forum, including with enhanced resources of all types, namely financial and technical, through the Education for All fast-track initiative in support of country-led national education plans;

8. *Reaffirms* the importance of developing further the regular dialogue between the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, other partners that pursue the goals of the Dakar Framework for Action and the Special Rapporteur, with a view to integrating further the right to education into the operational activities of the United Nations system, invites them to pursue that dialogue and reiterates its invitation to the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization to submit to the Council information pertaining to their activities in promoting primary education, with specific reference to women and children, particularly girls, persons with disabilities and education in the context of emergency situations;

9. *Decides* to extend the mandate of the Special Rapporteur on the right to education for a period of three years:

(a) To gather, request, receive and exchange information from all relevant sources, including Governments, intergovernmental organizations, civil society, including non-governmental organizations, and other concerned stakeholders, on the realization of the right to education on and obstacles limiting effective access to education, and to make recommendations on appropriate measures to promote and protect the right to education;

(b) To intensify efforts aimed at identifying ways and means to overcome obstacles and difficulties in the realization of the right to education;

(c) To make recommendations that could contribute to the realization of the Millennium Development Goals, and in particular of development goals 2 and 3, and of the goals of the Education for All initiative agreed upon at the World Education Forum;

(d) To integrate a gender perspective in all of his work;

(e) To review the interdependence and interrelatedness of the right to education with other human rights;

(f) To cooperate with the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, other special rapporteurs, representatives, experts and members of working groups of the Human Rights Council, and other relevant United Nations bodies, including human rights treaty bodies, and regional organizations, as well as to pursue the dialogue with the World Bank;

(g) To report to the Council on a yearly basis, in accordance with the Council's programme of work, and to report yearly to the General Assembly on an interim basis;

10. *Requests* the Special Rapporteur to take fully into account, in the discharge of his mandate, all provisions of the present resolution.

11. *Requests* all States to continue cooperating with the Special Rapporteur with a view to facilitating his tasks in the discharge of his mandate, and to respond favourably to his requests for information and visits;

12. *Requests* the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the execution of his mandate;

13. *Decides* to continue its consideration of the right to education under the same agenda item.

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