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COMMISSION ON HUMAN RIGHTS  
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Agenda item 10

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Angola\*, Australia\*, Austria\*, Belarus\*, Belgium, Bosnia and Herzegovina\*,  
Burundi, Canada, Croatia\*, Denmark\*, Estonia\*, Ethiopia\*, Finland\*, France,  
Germany, Greece\*, Iceland\*, Ireland\*, India, Italy, Latvia, Liechtenstein\*,  
Madagascar, Mexico, Norway, Pakistan, Poland, Portugal, Romania, San Marino\*,  
Senegal, Slovak Republic\*, Slovenia\*, South Africa, Spain, Swaziland, Sweden\*,  
Switzerland\*, Thailand: draft resolution**

**2001/... The right to education**

*The Commission on Human Rights,*

*Recalling* its resolution 1998/33 of 17 April 1998, by which it decided, *inter alia*, as part of its effort to impart a higher visibility to economic, social and cultural rights, to appoint, for a period of three years, a special rapporteur whose mandate would focus on the right to education,

*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 International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

*Recalling also* the Convention against Discrimination in Education of 14 December 1960, of the United Nations Educational, Scientific and Cultural Organization which prohibits any discrimination which has the purpose or effect of nullifying or impairing equality of treatment in education,

*Welcoming* the Dakar Framework for Action adopted at the World Education Forum held in Dakar in April 2000, and the goals agreed upon its adoption,

*Noting* the United Nations Millennium Declaration in which 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,

*Affirming* that the realization of the right to education, especially for girls, contributes to the eradication of poverty,

*Welcoming* the attention given to education in the preparatory process for the General Assembly Special Session on Children and for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in 2001,

*Deeply concerned* that some one hundred and twenty million children, two thirds of whom are girls, have no access to education,

1. *Notes with interest* the report of the Special Rapporteur on the right to education (E/CN.4/2001/52) and the report of the Secretary-General on economic, social and cultural rights (E/CN.4/2001/49);

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 and their general comments, notably General Comment No. 11 on Plans of Action for Primary Education (article 14 of the International Covenant on Economic, Social and Cultural Right) and No. 13 on the Right to Education (article 13 of the Covenant) adopted by the Committee on Economic, Social and Cultural Rights, and General Comment 1 on the Aims of Education (article 29, paragraph 1, of the Convention on the Rights of the Child) adopted by the Committee on the Rights of the Child;

3. *Calls upon* 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 access to education, notably by girls, including pregnant girls, children living in rural areas, children

belonging to minority groups, indigenous children, migrant children, refugee children, internally displaced children, children affected by armed conflicts, children with disabilities, children with HIV/AIDS and children deprived of their liberty;

(c) To ensure progressively and on the basis of equal opportunity that primary education is compulsory, accessible and available free to all;

(d) To adopt all necessary measures to close the gap between the school-leaving age and the minimum age for employment, including by raising the minimum age for employment and/or raising the school-leaving age when necessary, and to ensure access to free basic education and, wherever possible and appropriate, vocational training for all children liberated from the worst forms of child labour;

(e) To adopt effective measures to encourage regular attendance at school and reduce school drop-out rates;

(f) 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;

(g) To submit information on best practices for the elimination of discrimination in access to education, in particular when requested by the Special Rapporteur;

4. *Invites* the Special Rapporteur to continue to work in accordance with her mandate and, in particular, to intensify her efforts to identify ways and means to overcome obstacles and difficulties in the realization of the right to education;

5. *Encourages* the Special Rapporteur to pursue her collaboration with the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child and her cooperation with the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations High Commissioner for Refugees and her dialogue with the World Bank;

6. *Reaffirms* the importance of developing further the regular dialogue between the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization and the Special Rapporteur on the right to education, 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 Commission information pertaining to their activities in promoting primary education, with specific reference to women and children, particularly girls;

7. *Requests* all States to continue their cooperation with and to assist the Special Rapporteur in the performance of her tasks and duties and to consider favourably the Special Rapporteur's requests for information and visits;

8. *Decides:*

(a) To renew the mandate of the Special Rapporteur on the right to education for a period of three years;

(b) To consider the right to education at its fifty-eighth session under the same agenda item and to request the Special Rapporteur to submit a report to the Commission at its fifty-eighth session;

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

10. *Recommends* the following draft decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights resolution 2001/ ... of ... April 2001, endorses the Commission's decision to renew, for a period of three years the mandate of the Special Rapporteur on the right to education, and its request to the General Assembly to provide the Special Rapporteur with all the assistance necessary for the execution of the mandate.”

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