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Technical assistance and capacity-building

Albania,* Argentina, Belgium,* Bhutan,* Brazil, Canada,* Chile, Dominican Republic,* Fiji, Finland,* Greece,* Haiti,* Honduras,* Hungary,* Indonesia, Lao People's Democratic Republic,* Luxembourg,* Malaysia,* Maldives,* Morocco,* Netherlands, Norway,* Paraguay,* Peru, Philippines, Portugal,* Qatar, Romania,* Singapore,* Somalia, Thailand,* Tunisia,* Turkey,* Uganda,* Ukraine, United Kingdom of Great Britain and Northern Ireland,* Uruguay and Viet Nam*: draft resolution

45/... Enhancement of technical cooperation and capacity-building in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling all relevant international human rights treaties that uphold the human right of everyone to education, including the International Covenant on Civil and Political 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 International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities, and recalling also the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization,

Recognizing that, in the context of technical cooperation and capacity-building, the enhancement of international cooperation is essential for the effective promotion and protection of human rights, which should be based on the principles of cooperation and genuine dialogue, and aimed at strengthening the capacity of States to promote and protect human rights, prevent human rights violations and comply with their human rights obligations for the benefit of all human beings,

Bearing in mind the mandate of the Human Rights Council, as stated by the General Assembly in its resolution 60/251 of 15 March 2006, to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of

* State not a member of the Human Rights Council.



the States concerned, and the provisions of Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011 that aim to enable the Council to fulfil such a mandate,

Recalling all relevant Human Rights Council resolutions on the enhancement of technical cooperation and capacity-building in the field of human rights, on the right to education and on the realization of the equal enjoyment of the right to education by every girl,

Reaffirming General Assembly resolution 70/1 of 27 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, and recalling the Sustainable Development Goals, in particular, inter alia, Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all, and its specific and interlinked targets, and other education-related Goals and targets,

Reaffirming also the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all,

Stressing the importance of international cooperation, including the exchange of good practices, and of technical cooperation, capacity-building, financial assistance and technology transfer on mutually agreed terms in facilitating the realization of the right to education, including through the strategic and adapted use of information and communications technology,

Recognizing the impact of the coronavirus disease (COVID-19) pandemic on the enjoyment of the right to education and the educational disruption experienced by learners, especially girls and those in the most vulnerable and disadvantaged situations, which may exacerbate exclusion and inequalities in education,

Recognizing also the need to assess, monitor and mitigate the impact caused by the closure of schools and other educational institutions during the pandemic, with a view to facilitating the continuity of inclusive and equitable quality education for all, and encouraging national initiatives such as data collection, inclusive decision-making in public policies for education, and national monitoring and follow-up mechanisms, for and with the participation of children and adolescents, where feasible,

Recognizing further that technical cooperation and capacity-building play an important role in supporting States’ efforts to alleviate the adverse impact of the pandemic on the enjoyment of the right to education and ensure inclusive learning opportunities by, inter alia, facilitating distance learning solutions, bridging the digital divide that hinders access to technology and educational opportunities for disadvantaged learners, and enhancing the capacities of educational institutions and teachers, and in this regard welcoming relevant multi-stakeholder partnerships, such as the Global Education Coalition, launched by the United Nations Educational, Scientific and Cultural Organization as part of its COVID-19 education response,

Reiterating that one of the responsibilities of the United Nations High Commissioner for Human Rights and the Office of the High Commissioner is to provide advisory services and technical assistance, at the request of the State concerned, with a view to supporting actions and programmes in the field of human rights, and to coordinate activities to promote and protect human rights throughout the United Nations system in accordance with the mandate of the Office,

Appreciating the important role of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Trust Fund for Participation in the Universal Periodic Review, the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council and the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review in supporting States in developing their national capacities to promote the effective implementation of their human rights obligations and accepted universal periodic review recommendations, including those pertaining to the right to education,

Noting with appreciation the contributions of the Boards of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and of the

Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review through their annual reports to the Human Rights Council, in particular on the components of technical cooperation and the identification of good practices,

Welcoming and encouraging new and existing initiatives aimed at providing human rights technical cooperation and capacity-building support, in consultation with and with the consent of the Member States concerned, through bilateral and multilateral cooperation, including bilateral human rights dialogues and North-South, South-South and triangular cooperation, such as, inter alia, the pilot capacity-building support forum co-hosted by Norway and Singapore in February 2020,

1. *Emphasizes* that the general debate under agenda item 10 is an essential platform for Members and observers of the Human Rights Council to share their visions and views with regard to promoting more effective technical cooperation and capacity-building in the field of human rights, and to share concrete experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, and of accepted universal periodic review recommendations, and their achievements and good practices in this area;

2. *Reiterates* that technical cooperation and capacity-building in the field of human rights continue to be based on consultations with and with the consent of the States concerned, and should take into account their requests, needs and priorities, and the fact that all human rights are universal, indivisible, interdependent and interrelated, and aim to make a concrete impact on the ground;

3. *Underscores* the need to strengthen international, regional and bilateral cooperation and dialogue in the promotion and protection of human rights, including those relating to ensuring the right to education;

4. *Stresses* the need to enhance technical cooperation and capacity-building to support States' efforts to promote and protect human rights, including the right to education, in the context of their response to and recovery from the COVID-19 pandemic;

5. *Reaffirms* that technical cooperation should remain an inclusive exercise that engages and involves all national stakeholders, including government agencies, national human rights institutions and civil society;

6. *Also reaffirms* the ongoing need for enhanced voluntary contributions to the relevant United Nations funds to support technical assistance and capacity-building in the field of human rights, and encourages States to continue to make contributions to these funds;

7. *Calls upon* States to implement the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 4, in accordance with human rights law and standards, in order to ensure inclusive and equitable quality education and to promote lifelong learning opportunities for all;

8. *Encourages* States in need of assistance to consider requesting technical assistance from the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization and other United Nations agencies in the implementation of their human rights obligations and voluntary pledges and commitments relating to the right to education, including recommendations accepted in the context of the universal periodic review, and strongly encourages the Office of the High Commissioner and respective United Nations agencies to respond favourably to such requests and to provide information, in a transparent manner, on the technical support available for and provided to States;

9. *Stresses* the importance of enhancing coordination between the Office of the High Commissioner and other United Nations agencies in their technical cooperation and capacity-building efforts, and encourages the sharing of information on a regular basis among the Office, other relevant United Nations agencies and the States concerned on technical assistance and capacity-building efforts undertaken at the national level;

10. *Encourages* the special procedures of the Human Rights Council, in their interaction with States, to share information and knowledge relating to best practices and the

possibility of extending technical assistance and capacity-building in the promotion and protection of human rights, including, where applicable and within their respective mandates, those pertaining to the right to education, Sustainable Development Goal 4 and education-related Goals, as well as approaches showing how education can contribute to the achievement of other Goals;

11. *Welcomes* the panel discussion held by the Human Rights Council at its forty-fourth session, pursuant to its resolution 42/32, on the theme “Upholding the human rights of prisoners, including women prisoners and offenders: enhancing technical cooperation and capacity-building in the implementation of the Nelson Mandela Rules and the Bangkok Rules”, at which participants discussed relevant issues, including the importance of advancing technical cooperation to further implement the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), the importance of addressing prison overcrowding, the use of non-custodial measures and alternatives to detention, and the need to protect the rights of prisoners in the context of the COVID-19 pandemic;

12. *Decides*, in accordance with paragraphs 3 and 4 of its resolution 18/18 of 29 September 2011, that the theme of the annual thematic panel discussion under agenda item 10, to be held during its forty-seventh session, will be “Technical cooperation to advance the right to education and ensure inclusive and equitable quality education and lifelong learning for all”;

13. *Requests* the Office of the High Commissioner to prepare a report, to be submitted to the Human Rights Council at its forty-seventh session, to serve as a basis for the panel discussion, on the activities and plans of the Office and relevant United Nations country teams and agencies and regional organizations to support States’ efforts to promote and protect the right to education, including those aimed at alleviating the impact of the COVID-19 pandemic on the enjoyment of the right to education, ensuring the continuity of education for all, and addressing educational inequalities, with particular attention given to girls and to children in the most vulnerable and disadvantaged situations;

14. *Calls upon* States, international human rights bodies and mechanisms, relevant international organizations, national human rights institutions and civil society to share best practices and make use of the ideas and issues raised in the panel discussion to enhance the efficiency, effectiveness and policy coherence of technical cooperation and capacity-building efforts and build multi-stakeholder partnerships in the promotion and protection of the right to education.
