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Chair: Ms. Kaczmarek (Vice-Chair) (Poland)

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In the absence of Mr. Blanco Conde (Dominican Republic), Ms. Kaczmarek (Poland), Vice-Chair, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 68: Promotion and protection of human rights (continued)

(a) Implementation of human rights instruments

(continued) (A/77/40, A/77/44, A/77/228, A/77/230, A/77/231, A/77/279, A/77/289 and A/77/344)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)

(A/77/48, A/77/56, A/77/139, A/77/157, A/77/160, A/77/162, A/77/163, A/77/167, A/77/169, A/77/170, A/77/171, A/77/172, A/77/173, A/77/174, A/77/177, A/77/178, A/77/180, A/77/182, A/77/183, A/77/189, A/77/190, A/77/196, A/77/197, A/77/199, A/77/201, A/77/202, A/77/203, A/77/205, A/77/212, A/77/226, A/77/235, A/77/238, A/77/239, A/77/245, A/77/246, A/77/248, A/77/262, A/77/262/Corr.1, A/77/270, A/77/274, A/77/284, A/77/287, A/77/288, A/77/290, A/77/296, A/77/324, A/77/345, A/77/357, A/77/364 and A/77/487)

(c) Human rights situations and reports of special rapporteurs and representatives (continued)

(A/77/149, A/77/168, A/77/181, A/77/195, A/77/220, A/77/227, A/77/247, A/77/255, A/77/311, A/77/328, A/77/356 and A/77/525)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued) (A/77/36)

1. **Mr. Corzo Sosa** (Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families), introducing the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (A/77/48), said that, at the thirty-fourth meeting of the Chairs of the human rights treaty bodies, over which he had presided, the Chairs had agreed to establish a predictable eight-year cycle of reviews of the reports submitted by States parties in accordance with their human rights treaty obligations. The initiative was expected to increase reporting by States parties, while the accompanying harmonization of working methods and the digital uplift would also strengthen the treaty body system and ensure more effective protection of human rights. The report of the Secretary-General on the

status of the human rights treaty body system (A/77/279) contained a preliminary assessment of the additional meeting time that would be required to implement the predictable review cycle. He urged Member States to support the initiative and underscored the importance of ensuring sustainable funding for the human rights treaty bodies.

2. There were an estimated 281 million migrants worldwide, all of whom were entitled to the promotion and protection of their human rights. Many of them, however, were particularly vulnerable to a broad range of factors owing to, among other things, the conditions that had compelled them to leave their countries of origin, the situations they faced in countries of transit or destination and certain personal characteristics. While the recent ratification by Malawi of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had brought the number of States parties to 58, he noted with regret that some 25 States parties had yet to submit their initial or periodic reports under article 73 of the Convention. Moreover, the limited number of States parties to the Convention and the fact that the inter-State and individual communications procedures under articles 76 and 77 of the Convention were not yet operational constituted significant challenges to ensuring the protection of the rights of all migrant workers and members of their families globally. Those States parties who had not yet accepted the communication procedures were encouraged to do so.

3. On 27 September 2022, the Committee had held a half-day of general discussion on its draft general comment No. 6 on the convergence between the Convention and the Global Compact for Safe, Orderly and Regular Migration, during which panellists from United Nations agencies and human rights mechanisms, civil society and academia had stressed that the Global Compact for Migration explicitly reinforced the importance of human rights and international law. In October 2022, it had joined the Committee on the Rights of the Child in commemorating the fifth anniversary of the joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, both of which had served to demonstrate the relevance of the work of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families to States not party to the Convention and provided guidance that was applicable to all 196 States parties of the Convention on the Rights of the Child.

4. At its thirty-third and thirty-fourth sessions, both of which had been held in a hybrid format, the Committee had considered five reports of States parties, namely Azerbaijan, Burkina Faso, Cabo Verde, Paraguay and Rwanda, and had adopted the concluding observations on those reports. It had reviewed two follow-up reports, on Mauritania and Sri Lanka, adopted one list of issues with respect to Uruguay and two lists of issues prior to reporting with regard to Kyrgyzstan and Peru. Lastly, he wished to encourage all States that had not yet done so to ratify the Convention so as to ensure that their migrant citizens living in other States parties enjoyed the full protection of their rights under the Convention.

5. **Mr. Bustamante** (Chile) said that migration was one of the major global challenges of the time and could only be addressed effectively by taking a multilateral approach. For that reason, migratory processes should be viewed as an opportunity for international dialogue, the outcomes of which should serve as inputs for the formulation of policies in favour of migrant workers and countries on every aspect of human development. The Government of Chile sought to promote a regional migration policy based on the principles of international solidarity and human rights, recognizing that migration was the human face of regional integration. To that end, it had been working on key elements such as international cooperation, the strengthening of existing consultative processes and bilateral agendas.

6. **Ms. Mendoza Elguea** (Mexico) said that her delegation concurred with the approach that had been taken by the Committee in its draft general comment on the convergence between the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Global Compact for Migration. In the light of the adoption of the Progress Declaration of the International Migration Review Forum, in which Heads of State and Government and High Representatives had, among other things, reiterated their commitment to implement the objectives of the Global Compact and promote the well-being of the migrant community, her delegation would be interesting in hearing more about the status of the draft general comment and the next steps.

7. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer), noting the efforts of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to strengthen its partnership with the Global Alliance of National Human Rights Institutions, said that her delegation would welcome more information on the role played by national human rights institutions in the implementation of the concluding observations issued

by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

8. **Ms. Esekhaigbe** (Nigeria) said that, to ensure the equitable distribution of the benefits of migration, there was a dire need for migration management to safeguard the rights of migrant workers and members of their families and protect them from obnoxious laws and policies in countries of transit and destination. Such policies, through which discrimination, xenophobia and racism were promoted, often gave rise to violations of the rights of migrants, including exploitation, persecution and the denial of their civil, political, economic, social and cultural rights. Instead of criminalization, steps should be taken to provide for the regularization of the status of migrant workers and their family members, in view of their meaningful contribution to the economy of the country of destination.

9. **Mr. Abdullah** (Bangladesh) said that, as a major country of origin, Bangladesh had been among the earliest ratifications of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and had striven to implement the recommendations of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families with a view to promoting overseas employment opportunities, ensuring safe and regular labour migration and establishing penalties for unscrupulous activities relating to the recruitment of migrant workers. However, many migrant workers, especially women migrant workers, continued to face precarious working conditions, wage theft, labour exploitation and other discriminatory practices. It would be interesting to know how the Committee intended to follow up with States parties on the commitments they had made under the Progress Declaration of the International Migration Review Forum to develop national gender-responsive migration policies. His delegation would also like to know what steps the Committee was taking or were envisaged to encourage countries of destination to become parties to the Convention.

10. **Ms. İnanç Örnekol** (Türkiye) said that, as a State party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and a country that had a considerable number of migrant workers abroad and that hosted a large number of foreign workers, Türkiye had made significant contributions to the negotiations on the Global Compact for Migration and to the successful adoption of the Progress Declaration of the International Migration Review Forum. Every day, conflicts and destabilizing factors forced thousands of persons to

leave their homelands. To address those challenges, the framework set out in the Convention should be duly taken into consideration by all States. While the relevance of the Convention remained undisputed, there was a need not only to increase the number of States parties but also to enlarge their geographical coverage. She wished to know the challenges and barriers to ratification of the Convention and wondered whether sufficient mechanisms were in place within the United Nations to protect the human rights of migrants.

11. **Mr. Mohd Zim** (Malaysia) said that migrants played an important role in the development efforts of Malaysia, where there were currently approximately 2.3 million migrant workers. Although it was not yet a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Malaysia had made various efforts to enhance the protection of migrant workers, including by enacting policies and reviewing and amending relevant legislation to bring it into line with international labour standards. He wondered if there were any best practices that had been proven to maximize the potential benefits of migration and minimize the cost implications for countries of origin, transit and destination.

12. **Mr. Sahraoui** (Algeria) said that, while migrant workers and members of their families often experienced marginalization, xenophobia and poor working and living conditions, the situation had worsened during the coronavirus disease (COVID-19) pandemic, during which a rise in xenophobic acts had been witnessed. Moreover, the pandemic had exposed shortcomings in migration governance systems, which sometimes failed to safeguard the human rights of migrant workers, thereby leaving them without protection and entrenching discrimination, stigmatization and xenophobia against them. It was important to recognize migrant workers as development actors, since they made a significant contribution to countries of origin, transit and destination, in particular to sectors that were vital to sustainable development. His delegation wished to know how the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Global Compact for Migration could be implemented in a way that respected the rights of migrant workers and guaranteed their dignity. Information on how the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families was working with all mandate holders and mechanisms to ensure that migrant workers could enjoy all their human rights would be appreciated.

13. **Mr. Suwito** (Indonesia), noting that migrant workers made an important contribution to economic

development and the achievement of the Sustainable Development Goals, said it was deeply concerning that migrant workers, in particular women migrant workers, continued to face discrimination, abuse and violence. In an effort to promote and protect the rights of migrant workers, Indonesia had not only taken action at the national level but also established bilateral agreements and promoted regional cooperation on the issue. Given the importance of regional cooperation to advance migration-related rights, his delegation wondered to what extent the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families engaged with regional and subregional organizations with a view to fulfilling its mandate.

14. **Ms. González López** (El Salvador) said that, as a country of origin, transit and destination, El Salvador had placed an emphasis on safe, orderly and regular migration and respect for the rights of migrant workers and their families, without discrimination and irrespective of their migration status. Ahead of its forthcoming review by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, El Salvador had submitted its third periodic report under the simplified reporting procedure (CMW/C/SLV/3), which had been drafted on the basis of an inter-institutional consultative process. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, linking as it did migration and human rights, was now more important than ever. In the light of the advances that had been made at the international level, with the adoption of the Global Compact for Migration and the Progress Declaration of the International Migration Review Forum, her delegation wished to know how the United Nations system could play a leading role in ensuring that more countries, in particular those who led the fight for human rights, became parties to the Convention.

15. **Mr. Corzo Sosa** (Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families) said that the Committee aimed to build constructive dialogue with Governments and other stakeholders, including civil society, in order to protect the human rights of migrant workers. In addition to monitoring the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee welcomed direct dialogue with Member States on migration issues. For example, the Committee had entered into an interesting exchange of views with the Senate of Chile during the latter's consideration of a new law on the rights of migrant workers.

16. There were a number of regional mechanisms in place aimed at enhancing the rights of migrant workers. Those rights included the receipt of remittances, which were critical to support development in countries of origin. It was therefore important to address obstacles to the flow of remittances and limit the imposition of taxes. Regional input would be welcome with regard to the draft general comment No. 6 on the convergence between the Convention and the Global Compact for Migration. The Committee had so far drafted a conceptual note and draft outline, called for contributions and held a half-day discussion on the subject. The next steps were to draw up a more complete draft for discussion at its forthcoming session and to invite comments from all stakeholders, including States and civil society, in order to fine-tune it.

17. National human rights institutions contributed to the fulfilment of the Committee's mandate in a number of ways. For example, when a State party presented a report to the Committee in accordance with its treaty obligations, parallel information was also obtained, including from national human rights institutions. In some cases, such institutions could also monitor the implementation of the recommendations issued by the Committee, other treaty bodies and regional mechanisms. Civil society organizations also had an important role to play in the reporting procedure.

18. As the delegation of Nigeria had mentioned, migrant workers faced many serious violations of their basic human rights. Of particular concern had been the rise in hate speech, discrimination and xenophobia during the COVID-19 pandemic. As a result, the Committee was beginning work on a draft general comment No. 7 on preventing and combating racial discrimination, xenophobia, hate speech and related intolerance against migrants, in collaboration with the Committee on the Elimination of Racial Discrimination. His Committee's engagement with other treaty bodies was a welcome development and served to highlight the cross-cutting nature of human rights. With regard to commitments made by States under the Progress Declaration, the Committee would monitor implementation of those and other international obligations within the framework of State party reviews, identifying concerns and making relevant recommendations in its concluding observations.

19. Lastly, concerning efforts to increase the number of States parties to the Convention, a plan of work was being drawn up with a view to approaching States not party to the Convention, which included some of the Global Compact champion countries that were already making major efforts to protect migrant workers, thus offering an interesting bridge to encourage their

ratification of the Convention. Similarly, the Committee intended to gather the experiences and best practices of States that were making advances with regard to migration, including those not party to the Convention. For example, the delegation of Malaysia had outlined some of the steps being taken in that country; another country was Spain, which was making legislative reforms that were likely to lead to an increase in foreign nationals.

20. **Mr. González Morales** (Special Rapporteur on the human rights of migrants), introducing his report (A/77/189), said that climate change was an increasingly potent driver of migration, compelling millions of people to leave their homes every year. Such high levels of human mobility could undermine sustainable development, climate change adaptation, disaster risk reduction and migration governance efforts. Climate change could also negatively affect an array of human rights and have a disproportionate impact on certain sectors of society. Specific impacts on the human rights of migrants included a lack of rights protection for migrants at all stages of their journey, in particular when gaining admission to other countries.

21. Well-governed migration could serve as an important adaptation strategy to climate change, helping to build resilience and enabling individuals and communities to adapt to environmental and climate change pressures. To that end, an integrated multisectoral approach that brought together global, regional, national and local efforts was required. When assessing admission and stay claims by migrants, States should adopt people-centred and child-sensitive approaches and uphold international law and international human rights standards, including the principle of non-refoulement. Decisions to grant admission and stay should be based on clear, transparent and human rights-based criteria.

22. When it came to the protection of persons on the move for environmental reasons, gaps in international law remained. Some who crossed borders from areas adversely affected by climate change might do so in the context of conflict or persecution, and might thus be entitled to protection under international and regional refugee law; others might not qualify for such protection. Nevertheless, claims for refugee status by migrants under international and regional refugee law should not automatically be dismissed. The adverse impacts of climate change on migrants should be interpreted within a broader sociopolitical context. Consideration should be given to how such a context could exacerbate pre-existing discrimination, persecution and marginalization.

23. States should enhance the flexibility and accessibility of pathways to guarantee that all migrants who required human rights protection were provided with a legal status. A number of promising practices in that regard had been noted, including: the development of a “climate passport” to enable those at risk of global warming to gain access to civil rights in safe countries; the granting of humanitarian visas to migrant victims of natural or environmental disasters; and the establishment of trust funds to support planned relocations of communities affected by climate change. States should also put into action their commitment to expand and diversify the availability of pathways for safe, orderly and regular migration and implement objective No. 5 of the Global Compact for Safe, Orderly and Regular Migration, on enhancing the availability and flexibility of pathways for regular migration. States were also encouraged to increase action and support for measures to avert, minimize and address displacement and to respect, protect and fulfil the rights of all migrants.

24. With regard to his own activities, in recent months he had contributed to the regional and international review processes of the Global Compact for Migration, including by participating in the first International Migration Review Forum, held in New York, in May 2022. He had carried out country visits to Belarus and Poland, reports on which would be submitted to the Human Rights Council in June 2023; future country visits to Bangladesh and Colombia were planned. Lastly, input from stakeholders was invited for his forthcoming thematic report on the regularization of migrants.

25. **Ms. Oppermann** (Luxembourg) said that migrants who were compelled to move owing to climate change were more likely to migrate in conditions that did not respect human dignity and integrity. Luxembourg had co-facilitated the negotiations, alongside Bangladesh, of the recently adopted Progress Declaration of the International Migration Review Forum, in which it had been noted that safe, regular and orderly migration could constitute a form of adaptation to climate change. Her delegation would welcome the recommendations of the Special Rapporteur on specific measures that could be taken to mainstream the diversification of pathways for safe, orderly and regular migration in climate change adaptation plans – at national and international levels – and to ensure that those pathways were gender-responsive.

26. **Mr. Restrepo Barman** (Switzerland), recalling that Member States had the obligation to respect, protect and fulfil human rights throughout the migration cycle, said that Switzerland was committed to enhancing the

protection of persons fleeing their homelands due to climate change and disasters, including as one of the main sponsors of General Assembly resolution [76/300](#) on the human right to a clean, healthy and sustainable environment. His delegation would be interested in hearing examples of how civil society and affected individuals and communities had been included in responses to migration and displacement linked to the environment.

27. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country had a history of solidarity, hosting millions of migrants from the world over who, in turn, had enriched the culture, society and economy of Venezuela. However, the application of illegal unilateral coercive measures, aimed at disrupting the economy, politically destabilizing the country and bringing about a change in Government, had triggered economically-induced migration at the expense of human suffering. The illegal measures had not only led to the politicization of migration by political parties, fanatical groups and media outlets seeking to normalize xenophobia and blame migrants for all their ills, it had also fuelled trafficking in persons, exploitation, and labour and sexual slavery networks. On 14 September 2022, in an act of open disdain and disregard for humanity, the Governor of Florida had flown Venezuelan migrants from Texas to Massachusetts, thus underscoring the bipartisan struggle in the United States and the fanaticism to which some would stoop to exploit human lives for political ends. His delegation would therefore like to know whether unilateral coercive measures could be included as a root cause of migration-related phenomena.

28. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer), noting that, in his report, the Special Rapporteur had indicated a number of practices aimed at promoting measures of prevention, protection and assistance for migrants compelled to leave their countries of origin owing to disasters, climate change and environmental degradation, said that her delegation would welcome further information on how to encourage enhanced cooperation between various actors working at the local, national, regional and global levels in order to ensure protection through the entire migration route. It would also be helpful to learn about the types of mechanisms envisaged to improve the protection of migrants’ human rights upon entry to other countries.

29. **Mr. Valido Martínez** (Cuba) said that his delegation would welcome the comments of the Special Rapporteur on the situation of undocumented migrants in the United States, in particular those who had migrated as a result of environmental degradation,

natural disasters and the effects of climate change in Latin America.

30. **Ms. Mendoza Elguea** (Mexico) said that her delegation welcomed the fact that the Special Rapporteur had highlighted as a promising practice a Mexican programme through which humanitarian visas were issued for victims of natural disasters affecting their lives and security. Notwithstanding the progress that had been made in recent years on the topic of migration, her delegation would be interested in hearing the views of the Special Rapporteur on how best to promote the link between climate change and human mobility, in particular with regard to the human rights of migrants, ahead of regional reviews of the Global Compact for Migration.

31. **Mr. Delgado** (United States of America) said that the United States was supporting a number of programmes aimed at helping communities and countries prepare for and manage the impacts of climate change, such as through agricultural adaptation, resilience, disaster risk reduction and nature-based solutions, as well as potentially reducing migration-inducing pressures and supporting migration with dignity. Significant action to address climate change-related migration required buy-in and leadership from Governments and other national stakeholders working across borders. Multilateral mechanisms that forged holistic solutions on migration and climate change were needed. The United States was committed to ensuring that the International Organization for Migration was responsive to the needs of migrants and vulnerable populations, for which reason it had nominated Amy Pope as candidate to be the next Director General of that organization. He wished to know how Member States could more effectively address the impacts of climate change on migration.

32. **Mr. Ivanyi** (Hungary) said that, as a country neighbouring Ukraine, his country stood in full solidarity with the people of Ukraine, allowing entry to all persons fleeing the military aggression of Russia. Among other measures, more than 3.1 million persons entitled to temporary protection or residency had been granted access to basic services on an equal footing with citizens of Hungary. It was important, however, to emphasize the distinction between refugees and migrants. Migration was not a human right; those who were simply seeking better living conditions were not entitled to the same international protection afforded to refugees. It should be recalled that Hungary, along with other Member States, had not endorsed the Global Compact for Migration. His Government was of the view that international efforts should be focused on averting, minimizing and addressing displacement,

rather than on expanding new migration pathways or promoting migration as a solution to crises. It should also be recalled that legal migration fell within the competence of States, which must be respected by all Member States.

33. **Mr. Sahraoui** (Algeria) said that, as a country of origin, transit and destination, Algeria endorsed the objectives of the Global Compact for Migration to address the root causes of migration, which, in its view, was mainly attributable to a lack of development. The link between climate change and migration was valid, but only in terms of inequalities among countries, which arose from their level of development. Migration should therefore be addressed from a development perspective. It should also be highlighted that refugee status and migrant status were distinct; international refugee law could not be applied to migrants, including when cross-border migration occurred in the context of climate change and disasters. In the light of growing hostility towards migrants, which had, in some cases, been embedded in State policy and led to the use of illegal detention centres, his delegation wished to know the extent to which States were responsible and could be held accountable for crimes committed against migrants.

34. **Mr. Bustamante** (Chile) said that, notwithstanding advances made in the area of migration in his country, the only effective way to address the phenomenon of migration was from a multilateral perspective. For that reason, his Government had been seeking to promote a regional migration policy based on the principle of international solidarity. To that end, Chile had signed the Declaration on Migration and Protection, adopted at the Summit of the Americas, held in Los Angeles in June 2022; had recently hosted the plenary meeting of the twentieth South American Conference on Migration; and would assume the pro tempore presidency of the Quito Process on the Human Mobility of Venezuelan Nationals in the Region in 2023. In view of the challenging global and regional reality of migration, his delegation wished to know how the mandate and recommendations of the Special Rapporteur could contribute to promoting more coordinated, solidarity-based responses to the impact of rising levels of migration and mobility.

35. **Mr. Abdullah** (Bangladesh) said that the Progress Declaration of the International Migration Review Forum contained a recommendation to prepare for future health emergencies by building on the lessons learned from the COVID-19 pandemic. In the light of the impact of the pandemic on migrant workers, many of whom had been left in uncertain situations without access to employment, social protection or vaccines, and

in view of the current global energy, food and financial crisis, his delegation wondered whether the Special Rapporteur could provide recommendations as to how Member States could better prepare for future emergencies and crises, including climate emergencies. It would also be interested in knowing how the Office of the Special Rapporteur could assist in addressing the legal vacuum that existed with regard to the issue of climate-induced migration and displacement.

36. **Ms. Esekhaigbe** (Nigeria), underscoring that migration was a part of human nature and that the humane and dignified treatment of migrants, irrespective of their migration status, was imperative, said that, as one of the main drivers of forced displacement and migration, climate change had an impact not only on the livelihoods of the forcibly displaced but also on food and security. Her Government remained deeply concerned about the devastating effects of climate change in the Sahel region and the attendant humanitarian and human rights challenges. In view of the need for strong multilateral engagement on the issue, her delegation would welcome the suggestions of the Special Rapporteur on how Member States could strengthen collaboration and cooperation for the effective implementation of the Global Compact for Migration as a means of addressing the human rights impacts of the practice of pushbacks of migrants.

37. **Mr. Pilipenko** (Belarus) said that his country had consistently supported the approaches to international migration set out in the Global Compact for Migration. Given the importance of transparency and constructive cooperation in that regard, Belarus had conducted two national reviews on its implementation of the Compact, had participated in the International Migration Review Forum in May 2022 and had welcomed a visit by the Special Rapporteur on the human rights of migrants to Belarus in July 2022. His delegation fully acknowledged the conclusion by the Special Rapporteur that all countries of origin, transit and destination needed to work closely together to safeguard the rights and protect the interests of migrants, as well as criticism regarding the practice of pushing back migrants. Belarus cooperated constructively with migrants' countries of origin and had repeatedly offered its neighbours to resume dialogue on the management of borders and migratory flows. Although the representative of the European Union had spoken at the current meeting about the need for cooperation, migration was a key element of such cooperation and yet was affected by politicized sanctions imposed by the European Union that had prematurely blocked the financing of international technical assistance projects in Belarus.

That was regrettable and should be reconsidered in the future.

38. **Mr. Hassan** (Egypt) said that, as President of the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, Egypt was calling for strengthened international cooperation to address the impacts of climate change, including by increasing adaptation efforts, addressing loss and damage and meeting climate finance pledges. In view of the growing need to conclude labour mobility agreements, ensure migration in conditions of dignity and address the risks associated with irregular migration, his delegation wished to know what additional steps should be taken to realize objective No. 5 of the Global Compact for Migration, namely, to enhance the availability and flexibility of pathways for regular migration. In similar vein, what measures should be taken to enhance the mutual recognition of skills and qualifications of migrants so as to increase their employability in formal labour markets?

39. **Ms. Alexandridou** (Greece) said that developments around the globe had made it more critical than ever to ensure respect for and protection of human rights and fundamental freedoms, international human rights law and international humanitarian law. International cooperation, multilateralism and respect for international law constituted the only tangible solutions to the current and future problems facing humanity. Climate change and international migration affected every country to varying degrees; they were global concerns requiring global solutions. Greece applauded the efforts of the Secretary-General to encourage all States to act immediately. It also welcomed the call of the Special Rapporteur to promote prevention, protection and assistance with regard to migrants – elements that had also been addressed in the Global Compact on Refugees and the Global Compact for Migration. With those tools at the disposal of Member States, plus the Paris Agreement on climate change, it was critical to ensure implementation, enhance international cooperation and ensure respect for existing international rules.

40. **Mr. Mohd Zim** (Malaysia) said that migration was a global challenge requiring the sharing of responsibilities. Countries of origin, transit and destination must cooperate closely, give a high priority to migration-related issues, exert their best efforts to protect refugees and migrants in accordance with international law and address the root causes of migration, especially irregular migration. As a country hosting a large population of migrant workers, Malaysia faced its fair share of challenges, including trafficking

in persons and transnational organized crime. The Government had nevertheless put in place relevant laws and bilateral mechanisms to ensure respect for and protection of the rights of migrants and members of their families. Despite resource constraints, Malaysia would continue in that endeavour. His delegation would welcome examples of best practices on the protection of migrants that could be emulated by other countries.

41. **Ms. Banaken Elel** (Cameroon) said that migration was an opportunity not only for the migrants themselves but also for the countries of origin and destination. Her delegation would welcome further information on how properly managed migration could be a solution for coping with climate change, in particular for countries of destination. With regard to the recommendation of the Special Rapporteur to apply refugee instruments when cross-border migration occurred in the context of climate change, it would also be useful to know what the distinction was between climate change migrants and climate refugees, and how the application of refugee law at the national level could affect the long-term situation and legal status of migrants in countries of destination. Information would also be welcome on what opportunities the Progress Declaration of the International Migration Review Forum presented for the work of the Special Rapporteur, in particular with regard to the implementation of the people-centred approach to climate-induced migration.

42. **Mr. Méndez Bocanegra** (Colombia) said that, in Colombia, efforts to manage migration flows in recent years had led to the expansion and diversification of pathways for safe, orderly and regular migration. It was necessary to adapt migration frameworks to respond to the imminent increase in those flows owing to climate change. Good examples of legislation and policy in which mechanisms of protection of the rights of migrants in such circumstances were envisaged would be appreciated.

43. **Mr. Kuzmenkov** (Russian Federation) said that the Special Rapporteur had made a curious attempt to link climate change with respect for migrants' rights. Climate change certainly had an impact on each individual, but it was unusual to associate that impact with sexual orientation. Since gender issues also featured prominently in the recommendations of his report, the Special Rapporteur created the impression that involving lesbian, gay, bisexual and transgender representatives in discussions on climate issues would help to resolve the adverse impact of global warming on migration. Climate issues, however, require a broader solution than that and should be discussed primarily at the Conference of the Parties to the United Nations Framework Convention on Climate Change.

44. In the European Union and the United States, the manifestation of violence, xenophobia, racism, racial discrimination and intolerance towards migrants and persons of African or Asian descent continued to worsen. The European Union in particular had shown its racist core by accepting Ukrainian migrants without any restrictions but showing no such display of solidarity to the North African and Middle Eastern immigrants who had suffered from the forceful interventions of the United States and the European Union. Human rights defenders had reported that the situation of migrants in Latvia was even worse than that.

45. **Ms. İnanç Örnekol** (Türkiye) said that a broad range of push factors had led to a global surge in migrants and displaced persons. All migrants should be treated with dignity, irrespective of their migration status or the reasons compelling them to move. Member States should spare no effort in the promotion and protection of migrants' human rights, including by strengthening national and international cooperation. Human rights laws, norms and standards offered a comprehensive framework for the protection of migrants, including those affected by climate change. The use of security measures or pushbacks without addressing the root causes of migration yielded little success and only led to further human tragedy. Her delegation wondered what more the international community could do to ensure that States complied with their international obligations in that regard.

46. **Ms. Zhu Jiani** (China) said that her delegation placed great importance on the impact of the COVID-19 pandemic on the human rights of migrants and other vulnerable groups, particularly discrimination and violence against them. Some countries kept migrants for long periods of time under poor conditions in migrant detention centres and even, tragically, employed measures such as separating children from their parents. In 2021, hate crimes against persons of Asian descent in New York City had increased dramatically. All countries must effectively protect the legitimate rights and interests of migrants and oppose the use of the pandemic for the purposes of stigmatization and incitement to racism and xenophobia, and must create a safe and friendly living environment for immigrants.

47. In his report, the Special Rapporteur had mentioned the effects of climate change on migrants. China had proposed the Global Development Initiative: building on the 2030 Agenda for Sustainable Development for stronger, greener and healthier global development, and called on the international community to enhance cooperation in important areas such as climate change and green development, accelerate the

implementation of the 2030 Agenda and promote stronger, greener and healthier global development.

48. The Government had recently announced the first series of projects under the Global Development Initiative in the area of clean energy and other practical measures. China was ready to work with all parties to implement the Initiative to enable migrants to become contributors to, and beneficiaries of, sustainable development.

49. **Ms. Baptista Grade Zacarias** (Portugal) said that, in view of rising levels of human mobility owing to more frequent natural disasters and the adverse effects of climate change, adequate mechanisms to improve conditions throughout the migration cycle were needed. One solution was to promote legal and safe pathways, an element that had also been highlighted in the Progress Declaration of the International Migration Review Forum. To that end, Portugal had been working on a mobility agreement between members of the Community of Portuguese-speaking Countries, as well as a number of bilateral agreements. Her delegation would be interested in hearing other examples of mechanisms being implemented to strengthen legal and safe pathways for migration.

50. **Ms. Moutchou** (Morocco) said that extreme natural events linked to climate change had unleashed disastrous consequences on vulnerable communities, many of whom were forced to migrate as a means of survival. As part of efforts to consider and propose avenues for dealing with that challenge, a symposium on climate change, migration and health had recently been held in Marrakesh. Some of the recommendations arising from that symposium might contribute to discussions at the forthcoming twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, being held in November 2022, which presented an ideal opportunity to reflect on trends related to climate change and migration. It was clear that gaps remained in terms of research and reliable empirical data on environmental migration and the environmental impacts of internal migration. It would therefore be helpful to know what practices might facilitate data collection in that regard. Her delegation also wondered how nomadic communities were affected by climate change and what impact migratory movements had on vulnerable areas, such as coastal towns.

51. **Ms. Degabriele** (Observer for the Sovereign Order of Malta), noting that migrants, in particular those in vulnerable situations, had been disproportionately affected by the COVID-19 pandemic, said that the Sovereign Order of Malta had provided social, medical

and life-saving assistance and established care programmes, welcome centres and other facilities to help migrants. It had also adapted its activities to work alongside national health services during testing phases and vaccination campaigns, while also maintaining the provision of medical care to migrants. Her delegation would welcome the views of the Special Rapporteur on the most important aspects of the Global Compact for Migration that remained to be fully addressed by Member States.

52. **Mr. González Morales** (Special Rapporteur on the human rights of migrants), noting that his term as Special Rapporteur would end in mid-2023, said that a number of issues that had been raised had also been the subject of annual thematic reports, including the impact of the COVID-19 pandemic on the human rights of migrants (A/76/257). The question of climate change and its impact on the human rights of migrants had previously been covered by his predecessor in 2012 (A/67/299). It had been important to revisit the topic and examine the progress made in the interim. Although some advances had been observed, a number of shortcomings remained. Given the increasing urgency of climate change and migration, it was critical to strengthen multilateralism. Coordination between regions and between countries of origin, transit and destination was necessary to ensure a more consistent approach to migration policy that was not dependent on the Government in power in a particular State or subject to political whims. Migrants were easy political targets; their political rights were not always guaranteed and they were often in situations of vulnerability. It was therefore vital that civil society played a role in migration policy. Moreover, it was critical to ensure the right to freedom of association of migrants and their defenders, as he had likewise noted in a report on the subject (A/HRC/44/42). The issue of gender and migration, which had also formed the basis of a thematic report entitled “The impact of migration on migrant women and girls: a gender perspective” (A/HRC/41/38), was also a central concern requiring special measures to be put in place, especially in the light of climate change and the considerable increase in the number of women migrants over the past decade. The impact on other vulnerable groups, such as lesbian, gay, bisexual, transgender and intersex persons, was even more pronounced.

53. While he had highlighted a number of promising practices in his present report, more efforts were needed. He would encourage greater cooperation and coordination among States on initiatives, such as special visas, humanitarian assistance and other measures, that could be replicated in other countries. He was greatly

concern by the seeming normalization of the use of pushbacks by States as though that practice were a legitimate aspect of international law. The human rights impact of pushbacks of migrants on land and sea had also been the subject of a thematic report (A/HRC/47/30). In a similar vein, he recalled that, under the Global Compact for Migration and other relevant international instruments on the subject, immigration detention was to be used only as an exceptional measure.

54. Lastly, he wished to underscore the importance of the following: strengthening implementation of the Global Compact for Migration through the broadest possible participation of States; bolstering the compliance of States with their international obligations, such as through more transparent migration policies and reciprocal monitoring by multilateral and human rights mechanisms; and promoting regular pathways for migration, which, in turn, could aid in the prevention of irregular migration and human trafficking.

55. **Ms. Shaheed** (Special Rapporteur on the right to education), introducing the report (A/77/324), said that, in the report, early childhood care and education were considered from a human rights-based perspective, reflecting the multisectoral needs of children and their caregivers. As there was currently no internationally accepted definition of early childhood care and education, nor of such related terms as pre-primary education and care, the report called on all States and stakeholders to describe, define and recognize a rights-based definition to address that shortcoming.

56. The report detailed the extremely challenging educational environment faced by young children worldwide, made worse by the COVID-19 pandemic. In 2019, although three quarters of all children had access to some kind of pre-primary learning, only one third of the 82 million children in emergency-affected countries did. Moreover, only half of children had access to pre-primary learning in North and sub-Saharan Africa and Western Asia, compared with almost universal coverage in Europe and North America.

57. Early childhood care and education had been proven to be an effective means of reducing educational disparities among children from differing backgrounds and cultures and was particularly helpful for children of minority communities, refugees, poor and rural children and those from other vulnerable groups. It improved lifelong learning outcomes, helped disadvantaged children catch up and increased lifetime earnings. When early childhood care and education were not free, however, such benefits were only available to families that could afford them. A rights-based approach to early childhood care and education would therefore ensure

that it met the requirements of the right to education, including availability, accessibility, acceptability and adaptability.

58. Education must not discriminate but must recognize the role of culture and family, consider informal and home-based formats and ensure that the “care” element was included from a rights-based perspective, including the provision of adequate food and nutrition, housing, water and sanitation and a clean and safe environment.

59. The report recognized the substantial cost of early childhood care and education and that, without adequate public provision, it was often provided by private providers. Considering the tremendous benefits of early childhood care and education, it would be contrary to the right to education to allow them to be enjoyed only by those who could afford it. States, donors and funding organizations must therefore ensure that a level playing field was established for even the youngest of learners worldwide without discrimination.

60. One of the report’s most important recommendations was for States to integrate national lifelong learning frameworks into their education systems. Without formal policies and laws, the right to education could not be easily enforced, while the uneven delivery of educational opportunities would only lead to greater inequalities in society. The report thus emphasized that leaving the provision of early childhood care and education to private sector providers exacerbated existing disparities. The most important outcome of the report was for all stakeholders to engage in consultations to identify and codify a rights-based approach to early childhood care and education. That required a collective effort by international and national organizations, Governments and citizens and, ultimately, parents and children, to find a collective path forward that would ensure that every child had the right to participate in early childhood care and education. The report concluded by considering how education in emergencies, academic freedom and lifelong learning were issues of future concern.

61. **Ms. Szelivanov** (Representative of the European Union, in its capacity as observer), speaking also on behalf of Albania, Andorra, Argentina, Armenia, Australia, Bahrain, Bosnia and Herzegovina, Brazil, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Djibouti, the Dominican Republic, Ecuador, El Salvador, Georgia, Guatemala, Honduras, Iceland, Israel, Japan, Kuwait, Lebanon, Liechtenstein, Maldives, Mexico, Monaco, Montenegro, Morocco, New Zealand, Nigeria, Norway, Paraguay, Qatar, the Republic of Korea, the Republic of Moldova, Rwanda,

San Marino, Saudi Arabia, Serbia, Sierra Leone, Switzerland, Türkiye, the United Arab Emirates and Uruguay, said that the digital transformation of education needed to be framed around the right of every person to quality education that was free, non-discriminative, equal, inclusive and public. As no one should be left behind in the digital revolution, the European Union was committed to paying special attention to girls and women, all learners with disabilities, those living in extreme poverty, those affected by post-conflict situations and humanitarian crises, refugees and internally displaced persons and those in marginalized or hard-to-reach communities. The digital transformation should be governed by human rights that ensured everyone's right to privacy and protected all persons, especially children, against harmful and illegal content, cybercrime, exploitation, including sexual exploitation, manipulation and online harassment or abuse. The European Union was committed to closing the digital divide by building new partnerships to ensure the enjoyment by all persons of the right to quality, inclusive and equitable education and to support learning for all. In that regard, the European Union wished to know how States could best promote digital learning that contributed to high quality education, ensured inclusion and advanced equity.

62. **Ms. Theofili** (Greece) said that, in an increasingly unpredictable world, there were few certainties, one of which was the value of education. The Transforming Education Summit, held in September 2022 in New York, had been the first tangible implementation of States' common agenda, elevating education to the top of the global political agenda by mobilizing action, ambition, solidarity and solutions to recover pandemic-related learning losses, and working towards the transformation of education. Greece had participated actively in all relevant discussions as a co-lead of Thematic Action Track 4: Digital learning and transformation and as a member of the Advisory Committee, representing the Group of Western European and Other States. While technology afforded education many opportunities, the promotion of inclusive digital learning must be based on the principles of justice, equality and respect for human rights. In that context, she asked what the Special Rapporteur envisaged would be the best way forward on that crucial topic.

63. **Mr. Valido Martínez** (Cuba) said that, as indicated in the report of the Special Rapporteur, early childhood care and education had great benefits for the holistic development and well-being of children, their families and communities. For that reason, early childhood care had been a long-standing priority for his

Government, which, for 30 years, had been implementing a nationwide programme that focused on early childhood care and education with multidisciplinary advice and expertise and recognition by the United Nations Children's Fund. However, those efforts had not escaped the negative effects of the economic, commercial and financial blockade imposed by the United States on Cuba for more than six decades. That policy of hostility and suffocation was a violation of the Charter of the United Nations and international law and the main obstacle to the development of Cuba and had a direct impact on the human rights of Cubans, including in early childhood. In that regard, he asked the Special Rapporteur for her opinion on the impact of unilateral coercive measures on education.

64. **Mr. Mohd Zim** (Malaysia) said that quality education was crucial to ensuring that future generations were equipped with the necessary skills and versatility to adapt to a rapidly evolving world. Malaysia was committed to ensuring that its school-aged population had equitable access to quality education and was convinced that investment in education would provide the highest returns in terms of marketable human capital. Furthermore, it recognized the importance of developing future-ready talent in order to meet industries' evolving skills requirements. Noting that the COVID-19 pandemic had exposed critical shortcomings in education systems, he asked which key areas within the education sector required urgent attention to ensure that States would be better prepared for future emergencies.

65. **Mr. Bunch** (United States of America) said that his country remained deeply concerned about the situation in Afghanistan, where many girls were still prohibited from going to school and rates of child labour and child, early and forced marriage were surging, reversing the human rights gains, including the right to education, made over the past 20 years. The United States had been outraged when the Taliban had forced girls' secondary schools to close despite the demands of local communities for them to remain open and would continue to engage with the United Nations and international partners to push the Taliban to reverse its restrictions on the right to education and allow girls to return to schools at all levels.

66. The war of aggression by the Russian Federation against Ukraine was having an alarming impact on education and child protection. Over 2,400 schools were reported to have been hit by shelling and bombing and nearly 270 had been completely destroyed in direct defiance of Security Council resolution 2601 (2021). The right to education did not stop during times of war; the Russian Federation must therefore immediately

cease all actions that threatened the right to education for all and that exposed out-of-school children and youth to violence, particularly girls, who were at high risk of experiencing conflict-related sexual violence, trafficking and other forms of violence.

67. The United States was working diligently to support and help promote quality, safe, equitable and inclusive education amidst the ongoing COVID-19 pandemic. In that context, he asked what the Special Rapporteur would recommend for supporting the mental well-being of students as they returned to in-person learning.

68. **Mr. Zelený** (Czechia), speaking on behalf of the Group of Friends for Education and Lifelong Learning, said that, at the Transforming Education Summit, Member States and education stakeholders had agreed on the importance of investing in early childhood care and education and foundational education as the first step on a lifelong learning journey. Despite recent progress and commitments to action by many Member States, nearly half of all children were still not enrolled in pre-primary education programmes. Many children were denied access to quality education because of various factors, including socioeconomic status, refugee or displaced status, humanitarian situations or natural disasters – a situation made worse by the COVID-19 pandemic, during which many early childhood services critical to child development had been closed or suspended.

69. It was important to intensify advocacy and efforts to guarantee the right of every child to early childhood care and education by mobilizing multiple stakeholders, which laid a strong foundation for emotional well-being and learning throughout life. In that context, he recalled the forthcoming United Nations Educational, Scientific and Cultural Organization (UNESCO) World Conference on Early Childhood Care and Education, to take place in November 2022 in Tashkent, and expressed hope that the outcome document would drive forward agreements on feasible strategies, priorities, partnerships and benchmarks for financing, actions and results to achieve all early childhood-related Sustainable Development Goal targets.

70. **Ms. Oppermann** (Luxembourg) said that it was essential to approach early childhood care and education from a human rights-based perspective and to focus on the rights and best interests of children and parents. Education from birth to the beginning of primary school not only fulfilled children's right to education from an early age, but also helped to ensure their right to health, water and sanitation and cultural rights. Early childhood care and education not only improved children's

learning and health, but also helped to reduce social inequalities and child labour. Moreover, by enabling women to exercise their right to work, early childhood education and care contributed to a reduction in gender inequalities. In that context, she asked what the best way was of anchoring the right to early childhood education and care in international human rights law.

71. **Mr. Giorgio** (Eritrea) said that the key takeaways from the report of the Special Rapporteur were the indivisibility of education and care and the need for a new international instrument that would bring legal clarity to early childhood education and care. His delegation attached importance to the establishment by States of clear quality standards applicable to early childhood care and education providers and institutions, the need for education systems to be culturally sensitive, and the role of the family in supporting the child's education, survival and development. In that regard, he asked what the Special Rapporteur considered to be the current challenges to the full engagement of parents in early childhood care and education, taking into account their cultural values and sensitivities.

72. **Ms. Banaken Elel** (Cameroon) said that the right to education was one of the most fundamental human rights, particularly for children, and was instrumental for the enjoyment of all other human rights. Education must be provided to all without discrimination of any kind. Unfortunately, a country's social and economic situation was usually grounds for discrimination in the access to both formal and informal education. The COVID-19 pandemic had highlighted access to information and communications technology (ICT) and Internet connectivity as further impediments to access to education and additional grounds for discrimination. The increasing use of such technology in education thus raised concerns about further inequality in that area. For that reason, the focus on the impact of digitalization on education in the report of the Special Rapporteur was welcome. She asked what role families and in particular parents, as members of the education community, could play in mitigating the negative effects of ICT and the Internet on children. She also wished to know how international cooperation could contribute to bridging the digital divide between States and maximize the benefits of ICT for quality and accessible education.

73. **Mr. Almansouri** (Qatar) said that his country was committed, through cooperation with all relevant stakeholders and institutions, to ensuring access to education for all components of society. To that end, Qatar had established a series of schools under the auspices of the Ministry of Education in cooperation with the organization Education Above All. Another series of schools had been established in cooperation

with the Together Project, which was working to guarantee equal access to education by all children in Qatar in order to nurture their capabilities so that they would be productive members of society and contribute to the country's social transformation and economic prosperity.

74. **Ms. Patterson** (United Kingdom) said that every individual could be helped to fulfil their potential if they received the right support in the right place and at the right time. She welcomed the report of the Secretary-General on literacy for life: shaping future agendas, and education for democracy (A/77/187) and its focus on improving literacy, which was an essential foundation of lifelong learning. The United Kingdom firmly believed that, in order to address the global learning crisis, foundational learning must be improved for all children, including the most marginalized. Basic literacy and numeracy and interventions to support children in learning how to connect and interact with others in a safe and confident way were the building blocks for all other learning. Her country wanted to see more girls engaged in learning and more women empowered. States must strive to ensure that education systems drove equality globally, shifting harmful gender norms, preventing violence against women and girls and eliminating discrimination.

75. **Mr. Mukaila** (Nigeria) said that his country remained fully committed to providing inclusive and quality education to its population in recognition of its importance in fostering an enlightened citizenry and providing opportunities for job and wealth creation. Unfortunately, the education sector had been hardest hit by the COVID-19 pandemic, which had left children in rural regions and those living in poverty unable to continue their education. Moreover, the pandemic had exacerbated global digital divides, especially in countries from the global South. In that context, he wondered what measures could be taken to foster international cooperation and partnerships to complement national capacities, especially those of developing countries, so as to adequately address global gaps in the provision of inclusive and quality education to all. He further wondered how the international community could ensure that the world was prepared for future pandemics, given the lack of digital infrastructure and investment in information technologies.

76. **Ms. Degabriele** (Malta) said that, as a youth delegate, she recognized the importance of addressing early childhood care and education from a human rights-based perspective. Children and youth needed to be given the opportunity to realize their full potential, and, in that regard, she recalled Sustainable Development Goal 4 on ensuring inclusive and equitable quality

education and promoting lifelong learning opportunities for all. Children from vulnerable groups could not be left behind. Efforts to address inequalities, exacerbated by the digital divide, should be made through a holistic framework that built technological literacy to include families in all their diversity and communities.

77. During its term on the Security Council from 2023 to 2024, Malta would promote literacy as one of its thematic priorities and looked forward to developing synergies between literacy and children and armed conflict, including in the context of protecting education in times of conflict.

78. The Transforming Education Summit had sought to regain lost ground on meeting global education objectives. Accordingly, the Youth Declaration looked to address the global education crisis that had disproportionately affected students in low- and middle-income countries. In that regard, she wished to know how to ensure equal access to quality education for all, including children and youth.

79. **Ms. Paydar** (Islamic Republic of Iran) said that her Government recognized the substantial developmental, educational, social, cultural and economic benefits of early childhood care and education for children, their families and communities and the societies in which they lived. The Islamic Republic of Iran continued to provide free and qualitative education to all and, during the COVID-19 crisis, had taken significant measures in line with the "four As" framework (making education available, accessible, acceptable and adaptable). Noting the call in the report for States to spend 10 per cent of their national education budgets on pre-primary education, she asked how best to negate the impact of unilateral coercive measures on a country's national income and what assistance could be provided to countries to help them achieve their commitments on pre-primary education.

80. **Ms. Almehaid** (Saudi Arabia) said that her country was convinced that education was a fundamental human right, a main driver of sustainable development and a primary tool for capacity-building. The Basic Law of Saudi Arabia provided for free and equitable access to education at all levels. The country would continue to develop its education system and was working on a national education and training strategy, the Human Capability Development Programme, which was part of Vision 2030. It focused on the importance of developing a solid educational foundation for all and lifelong learning.

81. Saudi Arabia had been successful in ensuring the continuity of education despite the COVID-19 pandemic. It had launched digital platforms, such as the

“Virtual Kindergarten” application and interactive online classes, which ensured students’ access to education. Out of a commitment to the achievement of Sustainable Development Goal 4, Saudi Arabia had set up a steering committee to harmonize all national strategies and bring them in line with the Goals.

82. **Ms. Baptista Grade Zacarias** (Portugal) said that the Transforming Education Summit had been pivotal in drawing attention to the crucial importance of inclusive and quality education for the achievement of sustainable development and the 2030 Agenda. Education was not just a lever for development or a public common good – it was a human right. As such, all States were obligated under international law to protect, respect and fulfil the right to education. In that respect, she asked the Special Rapporteur for recommendations on how to mainstream respect for human rights in early childhood care and education.

83. **Mr. Sahraoui** (Algeria) said that, at the time of his country’s independence from colonization, the illiteracy rate had been over 85 per cent of the population as a result of the lack of education. Since then, providing high-quality free education had been an ongoing priority for Algeria. However, financial problems remained one of the reasons for the lack of teachers, including specialist teachers for children with autism, and the inability to provide high-quality education, especially in developing countries. He asked how the Internet could be used to overcome such problems. Furthermore, while COVID-19 had highlighted the importance of technology in ensuring continued access to education, he wondered how the disruption to in-person education had affected the current generation of children.

84. **Mr. Kuzmenkov** (Russian Federation) said that it was cynical of the United States representative to express concern about education in Afghanistan. If the United States simply returned the financial resources stolen from the Afghan people and deposited in foreign banks, there would probably be enough money to improve education.

85. The Special Rapporteur on the right to education should take into account the discrimination against the Russian-speaking population by the authorities of Ukraine and the Baltic countries. The neoliberal nationalist leadership of those States not only refused to ensure that the children of national minorities could be educated in their native Russian language, but also conducted courses for the eradication of the national and cultural identity of Russian children. That was inflicting serious trauma on the children and stunting their development, not to mention violating their rights. In

2013, there had been 1,275 Russian-language schools in Ukraine but currently there were none.

86. **Mr. Pedroza** (Peru) said that, as indicated in the report of the Special Rapporteur, early childhood care and education were essential for children from vulnerable groups, especially those with additional needs or difficulties, including children from Indigenous groups. In Peru, more than 5 million Peruvians identified themselves as belonging to one of the 55 Indigenous Peoples living in the country. That was why his Government’s national education policy provided intercultural bilingual education in which children could learn in their own language and use references from their own cultures and world views. He wished to know how the international community could move forward to achieve full access to care and education for children belonging to Indigenous Peoples from a rights-based perspective, including the rights enshrined in articles 14 and 15 of the United Nations Declaration on the Rights of Indigenous Peoples.

87. **Ms. González López** (El Salvador) said that early childhood was a priority for her Government as it believed that the transformation of society began with comprehensive care from the first years of life of all human beings. Under that philosophy, it sought to provide all children with the fundamental tools so that they could thrive, fostering an egalitarian future without violence and with equal opportunities. The COVID-19 pandemic had given States the opportunity to innovate in order to reduce inequalities in education and promote a more relevant education system. She asked for suggestions on how to make early childhood education a cross-cutting issue in the United Nations system, considering that the documents adopted by various United Nations bodies and by other United Nations agencies and programmes almost always focused on formal education, whether primary, secondary or tertiary.

88. **Ms. Zhu Jiani** (China) said that education was a basic human right and that the COVID-19 pandemic had had an enormous impact on the right to education, including preschool, of people all over the world, exacerbating the crisis in education faced by developing countries. The international community should enhance international cooperation in education, provide robust support for the building of educational infrastructure in developing countries, end inequality in education and leave no student behind or offline.

89. The Government of China welcomed the success of the Transforming Education Summit, attached great importance to guaranteeing the right of citizens to an education, positioned education as a strategic priority

and participated in international cooperation on education. To implement the outcomes of the Summit, China planned to organize a world conference on digital education and, with the United Nations Educational, Scientific and Cultural Organization, would also jointly host the International Forum on Artificial Intelligence and Education. China was ready to work with all countries to advance the digital transformation in education, thus providing a strong impetus for global economic recovery and social development.

90. **Ms. Gray** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that six out of ten children were unable to read and understand a simple text by 10 years of age. As confirmed by the recent Transforming Education Summit, early childhood care and education were critical to addressing that learning crisis as they laid the foundations for young children to be prepared for primary education. In that vein, UNESCO was working with Member States and key stakeholders to advance global commitments on early childhood care and education, including by co-organizing the World Conference on Early Childhood Care and Education in Tashkent. Over one thousand participants would be brought together at the Conference, including ministries of education, government representatives and United Nations agencies. It was expected that political commitments would be renewed to develop ambitious, relevant and culturally appropriate early childhood care and education policies; put in place effective and accountable early childhood care and education systems, multi-stakeholder partnerships and services; and increase and improve investment in that area.

91. **Ms. Shaheed** (Special Rapporteur on the right to education) said that the challenges associated with early childhood care and education included financing, policy frameworks, the international human rights framework, training and cultural frameworks. In terms of the future, a number of details would need to be worked out, including how early childhood care and education would look for refugee children, Indigenous children, children with disabilities and those in emergency situations.

92. There were elements of the right to early childhood care and education that were already clearly protected under international human rights law, including the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights. However, States needed to hold further consultations with diverse stakeholders in order to clarify what obligations would need to be made in terms of early childhood care and education. States also needed to make sure that early childhood care and

education provided by the private sector was within the human rights framework and complied with the required standards.

93. While digital technology was suddenly believed to be a solution to everything, the digitalization of education came with serious problems and in some cases served to increase inequalities. In fact, the gender gap in digital access had not changed since 2011. States thus had to consider the issue more carefully in terms of how to go forward. Like any tool, digitalization depended on a policy framework. If policies were not promoting equal access for all then the expected results would not be achieved from a human rights perspective.

94. More research was needed on the issue of the mental well-being of students as they returned to in-person learning. However, in terms of key areas in the education sector, attention needed to be focused on teachers, including their lifelong learning and working conditions; the financing of schools at all education levels; school curricula and assessments; violence in schools and its connection to the digital world; and digitalization itself.

95. She would be interested in hearing more about unilateral coercive measures and in engaging with the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights in that regard.

96. There was no doubt that international cooperation was needed in the field of early childhood care and education. From a financial perspective, it would be interesting to know how much was being transferred in terms of capacity-building and technology. The mainstreaming of respect for human rights in early childhood care and education also needed to be looked at further.

The meeting rose at 5.45 p.m.