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促进和保护所有人权——公民权利、政治权利、  
经济、社会及文化权利，包括发展权

## 对联合国教育、科学及文化组织的访问

### 受教育权特别报告员法里达·沙希德的报告\* \*\*

#### 概要

受教育权特别报告员法里达·沙希德于2023年1月16日至20日对联合国教育、科学及文化组织(教科文组织)进行了访问。本报告反映了在访问期间和访问之后与该组织许多人士和其他利益攸关方就受教育权目前和未来的挑战开展的讨论。报告概述了特别报告员的主要调查结果和建议，特别是关于根据任务规定加强与教科文组织合作的建议。

\* 本报告概要以所有正式语文分发。报告正文附于概要之后，仅以提交语文分发。

\*\* 本报告逾期提交，以便反映最新信息。



## Annex

### **Report of the Special Rapporteur on the right to education, Farida Shaheed, on her visit to the United Nations Educational, Scientific and Cultural Organization**

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## I. Introduction

1. Pursuant to Human Rights Council resolutions 8/4 and 44/3, the Special Rapporteur on the right to education, Farida Shaheed, conducted a visit to the United Nations Educational, Scientific and Cultural Organization (UNESCO) from 16 to 20 January 2023, which was complemented by a series of meetings held online thereafter with category 1 institutes under the auspices of UNESCO.

2. The purpose of the visit was to collect information and discuss issues relating to the realization of the human right to education and on progress made and future challenges in that regard. The discussions have been key to informing the Special Rapporteur's thematic report on advances for and critical challenges to the right to education, which will also be presented to the Human Rights Council at its fifty-third session.<sup>1</sup> The visit also provided an opportunity to explore areas for potential synergistic and complementary action and to enhance collaboration between the Special Rapporteur and UNESCO, in accordance with Human Rights Council resolution 8/4. The Special Rapporteur is of the view that each incoming mandate holder on the right to education would greatly benefit from the opportunity to conduct such an initial visit in addition to regular visits thereafter.

3. During the visit, the Special Rapporteur met with representatives of most sections of the Education Sector in addition to representatives of the Culture Sector, the Social and Human Sciences Sector, the Natural Sciences Sector and the Communication and Information Sector, including representatives at the highest level for most of sectors. She held discussions with other UNESCO services, such as the Section for Donor Outreach and Resource Mobilization and the Unit for Civil Society Partnerships within the Bureau of Strategic Planning, and the officers in charge of the UNESCO Associated Schools Network and the National Commissions for UNESCO. She also discussed issues with the Chairperson of the International Conference of Non-Governmental Organizations and the NGO-UNESCO Liaison Committee and with non-governmental organizations (NGOs).

4. Furthermore, the Special Rapporteur seized the opportunity to meet with representatives of most of the category 1 institutes related to education, either in-person or online, as they are distributed across the world, namely the UNESCO International Institute for Educational Planning, the UNESCO International Bureau of Education, the UNESCO Institute for Lifelong Learning, the UNESCO Institute for Statistics, the UNESCO International Institute for Higher Education in Latin America and the Caribbean and the Mahatma Gandhi Institute of Education for Peace and Sustainable Development.

5. The Special Rapporteur warmly thanks UNESCO for its cooperation throughout the visit, starting from its inception, and for its proactive organization of the visit. She thanks all the interlocutors for their hospitality and openness and for the fruitful meetings she had with them. The Special Rapporteur was impressed by the dedication of the UNESCO personnel, their in-depth knowledge and their vision for the future of education. They are the ones making it possible for UNESCO to fulfil its mandate as the key United Nations organization on educational matters.

## II. Future of education and the Evolving Right to Education Initiative

6. UNESCO has been very active in leading the discussions regarding the future of the right to education. Its response to the call made by the Secretary-General in his report on Our Common Agenda<sup>2</sup> to renew the social contract between Governments and their people and within societies, including regarding education, resulted in the Transforming Education Summit, held in 2022. The summit started a dialogue on the aspects of the framework on the right to education that may need to be reconsidered in the light of twenty-first century trends, achievements and challenges and led to the critically important work of the International Commission on the Futures of Education. The International Commission's landmark 2021

<sup>1</sup> [A/HRC/53/27](#).

<sup>2</sup> [A/75/982](#).

report underscores that a new social contract for education must be firmly grounded in two foundational principles: an expanded vision of the right to education throughout life and a commitment to education as a public societal endeavor and a common good.<sup>3</sup>

7. The Special Rapporteur appreciates that the International Commission has sparked a much-needed discussion on shifting the paradigm for the ways in which education is conceptualized, realized and assessed that simultaneously addresses past failures, new realities and future needs. She also welcomes the Evolving Right to Education Initiative, launched by the UNESCO Education Sector and further developed or implemented by category 1 institutes, including the International Institute for Higher Education in Latin America and the Caribbean. The initiative fully supports a holistic approach to education in a rapidly changing world and helps to focus the thinking surrounding the future of education on a rights-based approach. The Special Rapporteur agrees that education cannot be addressed in isolation from the specific political, economic, social and cultural contexts and dynamics in which it is embedded. The right to education must be understood as a right to lifelong learning. Beyond the issues of availability and accessibility, acceptability and adaptability, as well as accountability, are critical principles. These include ensuring quality and relevant content and nurturing a sense of global citizenship and respect for diversity, inclusion and human rights. The Special Rapporteur also appreciates the valuable contributions made by the category 1 institutes on these issues and on how to transform education where needed.

8. The principles underpinning the International Commission's recommendations and the vision developed by UNESCO for the right to education concur in many aspects with the vision developed by the successive Special Rapporteurs on the right to education since the mandate was established. In many discussions during and following her visit, the Special Rapporteur felt that her positions and those of UNESCO were aligned on, inter alia, an understanding of education as lifelong learning; the expansion of learning spaces beyond schools; and the need for rights-based, inclusive and intercultural education, the valorization and development of creative expression within education and better alignment among curricula, pedagogy and assessment. She was interested in the ideas presented for consideration, such as to reassess the notion of "merit" in implementing the right to higher education<sup>4</sup> and to create centres for validating educational attainments achieved outside of the formal school system. She was also interested to learn about initiatives, such as the UNESCO Qualifications Passport for Refugees and Vulnerable Migrants and an online course organized by the UNESCO Institute for Lifelong Learning on the recognition of prior learning for refugees and vulnerable migrants.

9. The UNESCO Education Sector includes the Education Policy Section, which has, at its core, a dedicated team that is working on the right to education. The Education Policy Section has adopted a holistic approach to education, encompassing individual and collective well-being in and through education. In particular, its Right to Education team works with all other thematic sections of the Education Sector and with teams beyond that sector to ensure that all activities are rights-based. This is bound to make a difference in the way in which the right to education is mainstreamed across the Education Sector and other sectors, institutions and initiatives of the organization, despite inevitable challenges.

10. UNESCO is fully cognizant of the challenges presented by the rapidly changing and developing contexts of the twenty-first century. The organization has launched ongoing efforts to review standard-setting instruments in the light of today's complexities and new challenges, to identify which aspects of the right to education should be revisited and which new aspects of learning could be incorporated more explicitly into the legal framework. The Special Rapporteur notes the numerous conferences organized by UNESCO in 2022, which together helped to reinforce the approach to education as encompassing the right to lifelong learning. These included the World Conference on Early Childhood Care and Education, held in Uzbekistan; the seventh International Conference on Adult Education, held in Morocco;

<sup>3</sup> International Commission on the Futures of Education, *Reimagining Our Futures Together: A New Social Contract for Education* (Paris, UNESCO, 2021), pp. 11 and 146.

<sup>4</sup> UNESCO International Institute for Higher Education in Latin America and the Caribbean, *The Right to Higher Education: A Social Justice Perspective* (Paris, UNESCO, 2022).

and the World Conference on Higher Education, held in Spain. Other key instruments have been developed or are soon to be adopted, such as the revision of the 1974 recommendation of the General Conference of UNESCO concerning education for international understanding, cooperation and peace and education relating to human rights and fundamental freedoms.

11. Other UNESCO sectors have supported the development or revision of key standard-setting instruments, in particular the revision of the 2017 UNESCO recommendation on science and scientific researchers, the 2019 recommendation on open educational resources and the 2021 recommendation on the ethics of artificial intelligence, which contains a section on education and research. More widely, all UNESCO sectors that have education or learning components are calling for synergy among sectors and therefore more comprehensive reinforcement of the right to education from different perspectives.

12. UNESCO is fully aware that an intersectoral approach across education, science and culture and information and communication is a key added value of the organization. Consequently, since 2019, UNESCO has stepped up its efforts to harness the synergy between education and culture, leveraging the expertise and resources of both fields of activity through several key intersectoral initiatives. It has also developed a UNESCO framework on culture and arts education that encompasses a broad understanding of culture in responding to the changing needs of learners today. This initiative echoes the Vision Statement of the Secretary-General on Transforming Education with respect to the need to fundamentally rethink education in such a way as to ensure equity, inclusion, quality and relevance and a holistic and lifelong learning approach.

13. The Special Rapporteur encourages UNESCO to continue and enhance its efforts to ensure that the many intersectoral challenges relating to the right to education are addressed outside of siloed or sectoral approaches. Such challenges include ensuring the respect due to scientific and academic freedom, increasing access to information and to artistic and scientific education, expanding the co-creation of knowledge and the use of technology in education, providing cultural heritage education and deepening the relationship between education and culture, including regarding local knowledge systems and approaches.

14. Cultural diversity, in particular, is a powerful transformative force in all of these areas, requiring increased civic participation not restricted to representative democracy based on majoritarian rule. Many educational, cultural and scientific communities, inter alia, are eager to participate in discussions on identifying the best ways to ensure relevant quality education for all in various contexts and to renew social contracts on education. UNESCO is the natural organization through which to pursue the work of the International Commission on transforming education for the future. The National Commissions for UNESCO, the UNESCO Chairs and the schools in the UNESCO Associated Schools Network should also participate. As the mandate of UNESCO demonstrates, there is a strong link between education, science and culture, which should be understood as public and common goods.

### **III. United Nations Educational, Scientific and Cultural Organization as the lead United Nations agency on education and a guardian of the right to education**

#### **A. Development and human rights agenda**

15. UNESCO is the lead United Nations agency on education, operating on two interrelated tracks: a development agenda and a human rights agenda.

16. UNESCO leads action on Sustainable Development Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all, coordinating work to reach its targets and co-chairing, with Sierra Leone, a high-level steering committee on Goal 4. It is also the lead agency for education for sustainable development and coordinates the implementation of the Education for Sustainable

Development for 2030: Towards Achieving the SDGs (ESD for 2030) framework<sup>5</sup> and the actions for its implementation set out in *Education for Sustainable Development: A Roadmap*.

17. Simultaneously, UNESCO takes very seriously its role as promoter of the right to education in all its complexities. The Special Rapporteur was pleased to hear from senior officials as well as more junior staff that UNESCO considers itself to be a human rights organization. Although she heard a few dissonant voices, she believes that those are not representative of the general positioning of UNESCO. It is important to understand, as UNESCO does, that the right to education is the legally binding force that helps to support a stronger argument as to the responsibility of States to ensure inclusive, quality education for all, while commitments under the 2030 Agenda, in particular, provide more incentives in addition to guidelines to help States to fulfil the right to education.

18. The Special Rapporteur stresses that the right to education must be at the centre rather than on the margins of governance at both the national and international levels. UNESCO has a specific role to play in this regard as an organization that considers itself to be a guardian of the right to education and that has developed expansive and thorough institutional knowledge. This is probably one of the key comparative advantages of UNESCO within the complex ecosystem of global and regional entities involved in educational norm-setting, financing and knowledge mobilization. UNESCO also demonstrated its capacity to be on the front line in the way it addressed the massive disruption of education during the coronavirus disease (COVID-19) pandemic, setting up the Global Education Coalition to monitor the situation worldwide and to propose solutions for fulfilling the right to education.

19. The striking underfunding of UNESCO, considering that its entire budget is smaller than that of many European universities,<sup>6</sup> is therefore more than problematic. For the years 2022 and 2023, the funding gap for UNESCO amounts to \$541 million.<sup>7</sup> UNESCO needs strong and effective support from its member States, in particular through core funding, which is the only way to guarantee its full independence. The Special Rapporteur stresses, in this regard, that the efforts of UNESCO to find larger donors may increase its dependence vis-à-vis specific donors. Member States should also be cautious about the consequences of funding independent parallel groups rather than United Nations organizations such as UNESCO, which may weaken the position of such organizations. UNESCO must be able to deliver effectively on its mandate to strengthen national education systems in the long run, including by initiating dialogue between stakeholders at the national level, going beyond short-term programmes and funding by the World Bank, the International Monetary Fund and bilateral donors. Agreements should be respectful of all aspects of the right to education, including that the primary responsibility for upholding the right lies with the State.

## **B. Partnering with private entities and ensuring the right to education**

20. Underfunding also opens the door to more partnerships with private entities. For the 2020–2021 biennium, Governments remained the largest source of funding, representing 56 per cent of the total resources mobilized, followed by multilateral institutions (24 per cent), the United Nations (10 per cent) and the private sector (10 per cent), with the Education Sector receiving 44 per cent of mobilized resources. However, UNESCO has a strong brand that enables it to attract the private sector and develop partnerships. This can be seen from the UNESCO resource mobilization strategy for 2022–2023.<sup>8</sup>

21. According to UNESCO, new challenges require unprecedented and innovative forms of cooperation that are more relevant to the diversity of entities and stakeholders involved and the challenges of the twenty-first century. Realizing such cooperation necessitates the development of coalitions that bring together Governments, businesses, finance and private citizens. The recent global coalitions established by UNESCO – the Global Education Coalition and the Open Educational Resources Dynamic Coalition – are now decisively

<sup>5</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000370215.page=7>.

<sup>6</sup> International Commission on the Futures of Education, *Reimagining Our Futures Together*, p. 142.

<sup>7</sup> UNESCO Resource Mobilization Strategy for 2022–2023, para. 12. Available at <https://unesdoc.unesco.org/ark:/48223/pf0000380820>.

<sup>8</sup> *Ibid.*, Snapshot of resource flows to the programme in 2020–2021, p. 3.

paving the way for such reinforced international cooperation among all relevant public and private sector stakeholders.<sup>9</sup>

22. The Special Rapporteur understands the importance of having discussions on education for all with the private sector, whose role in the field of education is expanding, following different models. She also notes that this may open avenues for fruitful collaboration around the development and use of technology, for requesting the evolution of business practices in line with human rights standards and for gathering all stakeholders around the same table rather than each acting in isolation.

23. She recalls that four reports by previous Special Rapporteurs have been dedicated to the issue of privatization,<sup>10</sup> including the danger of its supplanting public education instead of supplementing it.<sup>11</sup> During her visit, the Special Rapporteur engaged with various parts of the organization on these issues. Not all UNESCO personnel seemed to share the same position. The Special Rapporteur heard many expressing concerns about the commercialization of education, while many also saw value in public-private partnerships. Most interlocutors insisted on the importance of regulation. Others did not see a problem, finding it quite normal for the private sector to receive a return on its investment. In this regard, the Special Rapporteur stresses the diversity of private entities and the importance of bearing in mind the risk of an increase in exclusion and inequality engendered by large-scale, profit-motivated educational enterprises that undermine or displace the public education system.

24. The right to education is to be understood as the right to a free public education, which must be the starting point in all discussions together with an understanding of education as a public and a common good. The Special Rapporteur has concerns that, without adequate safeguards, partnerships with the private sector carry the risk of undue private influence on the education agenda at both the international and national levels that is sometimes not immediately obvious.

25. The Special Rapporteur notes the efforts undertaken by UNESCO through the UNESCO Core Data Portal, which displays information on member States and other donors that commit funds to the organization.<sup>12</sup> She also appreciates the efforts to develop tools based on the United Nations Sustainable Development Group Common Approach to Prospect Research and Due Diligence for Business Sector Partnerships.<sup>13</sup> She notes that, consequently, a risk mitigation and management framework seems to have been put in place, at least for pilot projects at UNESCO, which is to be welcomed, although that framework is general and does not specifically address the right to education.<sup>14</sup> She appreciates that UNESCO is very much aware of the need to assess the long-term strategies of partners and their assumptions regarding return on investment. This is particularly important as private companies move from free to premium online access to educational platforms and as crucial discussions are still taking place on the protection of the data and privacy of learners, teachers and families.

26. It is also important to distinguish between the private sector exercising its corporate social responsibility versus investing for future market share, as education has become a new market. In this regard, the shift in UNESCO from understanding private sector companies as donors to considering them as partners that can participate in creative processes, particularly to develop digital curricula, entails many risks.

27. The Special Rapporteur encourages UNESCO to further enhance its transparency about these matters, including regarding the terms of engagement with private entities, and to fully play its role as a guardian of the right to education. Established safeguards should

<sup>9</sup> *Ibid.*, para. 3.

<sup>10</sup> [A/HRC/41/37](#), [A/70/342](#), [A/HRC/29/30](#) and [A/69/402](#). See also <https://www.ohchr.org/en/special-procedures/sr-education/privatisation-and-commodification-education>.

<sup>11</sup> [A/69/402](#), para. 38.

<sup>12</sup> See <https://core.unesco.org/en/home>.

<sup>13</sup> See UNESCO, "Update on prospect research and due diligence of potential private sector partners", document 210 EX/5.III.A, annex I.

<sup>14</sup> UNESCO, "Follow-up to decisions and resolutions adopted by the Executive Board and the General Conference at their previous sessions, Part II: Management issues", document 211 EX/5.II.A, para. 23.

address the specificities of the right to education, understood as the right to free public education. Following the COVID-19 pandemic, it is important to ensure that the cost of the digitalization of education is not borne by children and other learners through data mining and hidden expenses. There is a need to address the concerns of civil society organizations and experts regarding the disproportionately influential voice of the private sector in matters relating to education, including at UNESCO. Long-term partnerships with the private sector must be accompanied by long-term partnerships with civil society organizations on the same footing. Civil society organizations should also be systematically included in research projects, for example regarding the role of private entities in education and how to regulate them.

28. The Special Rapporteur notes the UNESCO due diligence process, established in accordance with the Common Approach to Prospect Research and Due Diligence for Business Sector Partnerships. This process includes the due diligence form for potential private and business sector entities: companies, foundations, associations and NGOs, which is signed by private actors entering partnerships with UNESCO. The form, which is a self-declaration tool, focuses on identifying whether entities have been involved in human rights violations, including violations of the rights to privacy and data protection. The Special Rapporteur is of the view that more investigative or participatory research tools might be useful, in particular for assessing possible violations of the right to privacy by digital companies or violations of teachers' rights by private school chains. The Special Rapporteur takes note of information provided by UNESCO that the process includes consultations with the relevant UNESCO member State through the National Commission for UNESCO of the country in which the private entity is registered; checks against United Nations and World Bank sanctions lists; searches in specialized environmental, social and governance databases; and detailed searches online that allow UNESCO to gather publicly available information about the entity.

#### **IV. Monitoring the implementation of the right to education**

29. Monitoring implementation does not mean the same thing at UNESCO headquarters in Paris and within human rights circles in Geneva. Human rights bodies in Geneva assess the extent to which individual States implement their obligations under international human rights law and recommend specific steps to enhance the realization of human rights, following discussions and exchanges involving civil society organizations and, in some cases, alleged victims of violations. Those mechanisms are often expert-based. Monitoring by UNESCO is geared mainly towards assessing the ways in which its conventions and recommendations are implemented, without adopting a country-based approach and with minimal or even without input from civil society organizations. Those mechanisms are mostly State driven and focus on advocacy and technical assistance, rather than accountability.

30. The monitoring process for the Convention against Discrimination in Education and the Recommendation against Discrimination in Education, for example, is led by the Committee on Conventions and Recommendations, which is part of the Executive Board of UNESCO. A regular reporting procedure is launched through questionnaires, leading to analytical summaries on trends, particularly at the regional level. The Committee examines the outcome of consultations organized by UNESCO and follows up on the decisions adopted by the governing bodies of UNESCO: the Executive Board and the General Conference. The results of the tenth consultation on the implementation of the Convention and Recommendation against Discrimination in Education, covering the period 2017–2020, were published in 2021.<sup>15</sup> Such processes are important, as the findings inform other thematic reports of the organization. The information gathered, together with other sources of information, helps to guide action for technical assistance at the local level, for example.

31. Other tools have been developed, enabling the gathering of helpful data for stakeholders to use in assessing the level of implementation of the right to education. For example, the UNESCO interactive mapping tool, HerAtlas, is focused on the educational

<sup>15</sup> See <https://unesdoc.unesco.org/ark:/48223/pf0000380609>.



rights of girls and women around the world. With a colour-coded scoring system that tracks legal indicators, such as constitutions and legislation, the maps make it possible to visually monitor the legal progress towards securing the right to education for women in specific countries.

32. The UNESCO Observatory on the Right to Education is also worth mentioning. It provides documentation and information concerning the implementation of the right to education at every level of education, under constitutional, legislative and policy frameworks, covering various areas relating to that right at the country level. It also references country-specific observations from the United Nations human rights bodies, making it possible for users to obtain a wider vision of the state of protection of the right to education in specific countries.

33. The Special Rapporteur, throughout her visit, had discussions on the ways in which to strengthen the UNESCO monitoring mechanisms. She sees an increasing discrepancy between the very active standard-setting exercise led by the organization, on the one hand, and the weakness and inefficiency of its monitoring machinery. Standards cannot be efficient without strong monitoring mechanisms. It is important to allow multiple independent voices to be heard officially and accounted for during monitoring to ensure a more accurate understanding of the reality and needs on the ground and respect for the principles of non-discrimination and inclusivity and to foster national discussions and accountability. The Special Rapporteur understands that Member States are expected to include civil society input in their reports; in practice, however, such input is minimal. The absence of independent voices at UNESCO could undermine the organization and its reputation in addition to its efficiency. The voices of civil society organizations, academics and other stakeholders in assessments and review processes should therefore be reinforced, given that the multi-stage procedure before the Committee on Conventions and Recommendations allows the collection of information from the various partners of UNESCO, such as NGOs.<sup>16</sup>

34. In addition, the reluctance to undertake country-based monitoring processes and to engage independent experts is difficult to understand, given that such practices are used on a daily basis by human rights mechanisms in Geneva and that virtually all States are represented in both Paris and Geneva. The Special Rapporteur also notes that the current structure and functioning of the Executive Board are the fruits of what is commonly called the “Japanese amendment”, which dates back to 1993. She encourages member States to reassess this situation and to consider reintroducing an expert-based mechanism.

35. The Special Rapporteur notes the existence of other specific mechanisms, such as the “104 procedure” (adopted by the Executive Board of UNESCO in its decision 104 EX/3.3), allowing the Committee on Conventions and Recommendations to examine alleged violations of human rights falling within the competence of UNESCO, including the right to education. Although, according to the summary of the results of the application of the procedure laid down by the decision,<sup>17</sup> this procedure has proven useful, it is difficult to qualify it as a monitoring procedure per se. Its purpose is to seek a friendly solution by establishing a dialogue with the Government concerned. As this procedure is confidential, communications are not made public until 20 years after their resolution.

36. The Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, jointly established by the International Labour Organization (ILO) and UNESCO and composed of independent experts on education, teaching and labour from around the world, is a specific mechanism at UNESCO. It meets every three years to promote and monitor the implementation of two international normative instruments of ILO and UNESCO concerning teachers. It therefore addresses issues relating to the right to education from a very specific angle. The Committee of Experts also examines allegations made by teachers’ organizations concerning non-respect in member States of the principles of the recommendations; it issues findings and makes recommendations for the resolution of such cases.

<sup>16</sup> UNESCO, *Committee on Conventions and Recommendations, 2022 Edition* (Paris, 2022), p. 9.

<sup>17</sup> *Ibid.*, para. 59.

37. The Special Rapporteur also stresses that the contributions of UNESCO to the United Nations systems for monitoring the right to education are much appreciated and constitute valuable sources of information. The organization participates on a regular basis in the universal periodic review and collaborates with the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women on the status of implementation of the right to education in the countries under review. The Special Rapporteur believes that cooperation between UNESCO and the mandate holder could be strengthened within the framework of the visit and communication procedures under the mandate. As the joint Committee on Economic, Social and Cultural Rights-UNESCO working group has ceased to operate, she suggests that a discussion be undertaken between all relevant mechanisms to revive systematic exchange and collaboration on the right to education.

## V. Conclusions and recommendations

38. The Special Rapporteur considers that her visit to UNESCO was very fruitful, providing a boost to the cooperation already in place under the mandate in a more systematic manner and identifying new areas of synergy for action. She appreciates the alignment of thinking between holders of the mandate and UNESCO on the content, approach to and concerns regarding the right to education as the right to life-long learning.

39. The Special Rapporteur recommends that each incoming Special Rapporteur on the right to education have the opportunity to conduct such a useful visit to UNESCO in addition to regular visits thereafter. This would require the allocation of specific resources by the Human Rights Council.

40. The Special Rapporteur stresses the crucial role of UNESCO as the lead United Nations agency on education and a guardian of the right to education within the wider complex ecosystem of global and regional entities involved in education. She recommends that UNESCO member States demonstrate their strong and effective support to the organization, in particular through core funding, which is the only way to guarantee its full independence. Member States should assess the consequences of funding independent parallel groups over United Nations organizations, such as UNESCO, which may weaken the position of those organizations.

41. The Special Rapporteur encourages UNESCO to ensure transparency regarding its partnerships with private entities, including on the terms of engagement, and to fully play its role as a guardian of the right to education in this respect. The right to education, understood as the right to free public education and an understanding of education as a public and a common good must be a starting point in all discussions with the private sector. Established safeguards and risk mitigating frameworks should address the specificities of the right to education. There is a need to address the concerns of civil society organizations and experts about the disproportionately influential voice of the private sector in matters relating to education. Long-term partnerships with the private sector must be accompanied by long-term partnerships with civil society organizations on the same footing. Civil society organizations should also be systematically included in research projects, for example regarding the role of private entities in education and how to regulate them.

42. The Special Rapporteur recommends that UNESCO and its member States consider opening discussions on the best ways forward to reinforce the UNESCO monitoring machinery, with a view to strengthening the organization's independence, ensuring the participation of civil society organizations and education experts in processes and moving from general to country-based analysis.

43. The Special Rapporteur encourages the organization to continue and enhance its efforts to address challenges relating to the right to education outside of siloed or sectoral approaches, such as the respect due to scientific and academic freedom, access to information, artistic and scientific education, the co-creation of knowledge, the use

**of technology in education, cultural heritage education and the relationship between education and culture, including local knowledge.**

**44. The Special Rapporteur recommends that cooperation between UNESCO and the mandate holder be strengthened within the framework of the visit and communication procedures under the mandate. She also suggests that a discussion be undertaken between all relevant mechanisms to revive systematic exchange and collaboration on the right to education.**

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