



# General Assembly

Sixty-fourth session

**106<sup>th</sup>** plenary meeting

Friday, 9 July 2010, 3 p.m.

New York

Official Records

*President:* Mr. Ali Abdussalam Treki . . . . . (Libyan Arab Jamahiriya)

*In the absence of the President, Mr. Mohamed (Maldives), Vice-President, took the Chair.*

*The meeting was called to order at 3.20 p.m.*

## Agenda item 53 (continued)

### Sustainable development

#### (b) Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

**Report of the Preparatory Committee for the high-level review to assess progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (A/CONF.218/PC/1)**

**The Acting President:** The Assembly has before it a draft decision recommended by the Preparatory Committee for the high-level review to assess progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States in paragraph 18 of its report (A/CONF.218/PC/1).

The Assembly will now take action on the draft decision contained in paragraph 18 of the Preparatory Committee, which is entitled “Organization of the high-level review to assess progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States”.

The Preparatory Committee decided to recommend to the General Assembly the adoption of the draft decision. May I take it that the Assembly wishes to adopt the draft decision?

*The draft decision was adopted.*

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 53.

### Agenda item 114 (continued)

#### Follow-up to the outcome of the Millennium Summit

##### Draft resolution (A/64/L.58)

**The Acting President:** Members will recall that the General Assembly held the debate on agenda item 114 jointly with agenda items 48, 120 and 121 at its 47th plenary meeting on 16 November 2009. Members will also recall that under this item, jointly with agenda items 48 and 53 (b) and (f), the Assembly adopted decision 64/555 at its 82nd plenary meeting on 15 April 2010 and resolutions 64/184, 64/265 and 64/289 at its 66th, 86th and 104th plenary meetings on

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21 December 2009 and 13 May and 2 July 2010, respectively.

I now give the floor to the representative of Qatar to introduce draft resolution A/64/L.58.

**Mr. Al-Nasser** (Qatar) (*spoke in Arabic*): On behalf of its sponsors, I have the honour to introduce the draft resolution contained in document A/64/L.58, entitled "The right to education in emergency situations". Australia, Bangladesh, Belgium, Brazil, Canada, Colombia, Croatia, the Dominican Republic, Estonia, Finland, Germany, Israel, Italy, Lithuania, Luxembourg, Mexico, Monaco, Montenegro, New Zealand, Poland, Romania, Serbia, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Uruguay have become co-sponsors of the draft resolution.

The right to education is one of the basic human rights agreed internationally and enshrined in international law. However, the enjoyment of this right is facing growing threats around the world, particularly in emergency situations resulting from armed conflicts and natural disasters. This situation calls for special attention to the realization of that right in those cases. It is time for the General Assembly to address this important issue by adopting a resolution on the matter, especially given the fact that enabling children everywhere to complete a full course of primary schooling is one of the pillars of the implementation of the United Nations Millennium Declaration (resolution 55/2).

The draft resolution before the Assembly today, the first of its kind, reflects the heightened international attention focused on the need to ensure the protection of this fundamental right, especially in cases where it is under serious threat. The draft resolution is comprehensive and holistic and addresses the various dimensions of the issue, including its legal, political and humanitarian aspects. It also addresses funding. The draft resolution also addresses all stages of humanitarian response, that is, emergency preparedness, emergency situations and the post-conflict or post-disaster stage.

The main co-sponsors of the draft resolution — Benin, Bosnia and Herzegovina, Costa Rica, Nicaragua, Norway and Qatar — moved to convene an interactive thematic dialogue of the General Assembly on this matter. The meeting was held at the sixty-third session of the General Assembly on 18 March 2009

and contributed to highlighting the threats to the right to education, especially in times of crises and emergencies. The meeting emphasized the need for the General Assembly to adopt a resolution on the right to education in emergency situations.

The consensus on the draft resolution before us is the culmination of cross-regional efforts. Its elements were established in extensive consultations with all stakeholders, including such United Nations agencies as UNESCO and UNICEF, and relevant civil society organizations, such as Save the Children.

In its preamble, the draft resolution reaffirms that everyone shall enjoy the human right to education and recalls the relevant international documents, while underscoring the fact that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child and the realization of the right to education.

The text condemns the targeting of schoolchildren, students and teachers, as well as attacks on educational institutions, while acknowledging that protecting schools and providing education in emergencies should remain a key priority for the international community.

The draft resolution expresses deep concern over the inadequate level of funding for international education goals and calls on donors to continue to support humanitarian funding channels and to contribute to education programmes.

In the operative part of the draft resolution, the Assembly welcomes the work of the Special Rapporteur on the right to education and the Committee on the Rights of the Child, notes with appreciation the work of the Special Representative of the Secretary-General for Children and Armed Conflict, and recognizes the establishment of the education cluster of the United Nations Inter-Agency Standing Committee and other initiatives to address educational needs in emergency situations, including through partnerships for the implementation of the "Minimum standards for education: preparedness, response and recovery" handbook of the Inter-Agency Network for Education in Emergencies.

It urges Member States to implement strategies and policies to ensure and support the realization of the right to education as an integral element of humanitarian assistance and humanitarian response. It

recommends that Member States ensure access to education in emergencies and urges respect for civilians, including students and educational personnel and for civilian objects such as educational institutions. It urges Member States to criminalize attacks on educational buildings in order to prevent and combat impunity, while stressing that such attacks may constitute grave breaches of the Geneva Conventions and war crimes under the Rome Statute.

In the part on reconstruction and post-emergency situations, the draft resolution urges States to provide quality education in emergency situations. In the part on follow-up, it requests the Special Rapporteur on the right to education to include in his next interim report to the General Assembly an update on his report on the right to education in emergencies, in order to identify gaps and remaining challenges in ensuring the right to education in emergency situations.

Allow me, in conclusion, to express my thanks and gratitude to all the delegations that participated in the consultations on the draft resolution for their constructive cooperation, which has resulted in the consensus on the text. We hope that the draft resolution will be adopted today by consensus.

**The Acting President:** The Assembly will now take a decision on draft resolution A/64/L.58, entitled “The right to education in emergency situations.” May I take it that the Assembly decides to adopt draft resolution A/64/L.58?

*Draft resolution A/64/L.58 was adopted (resolution 64/290).*

**The Acting President:** I call on those representatives who wish to make statements on the resolution just adopted.

**Mr. Grauls** (Belgium): On behalf of the European Union (EU), I would like to thank the Governments of Benin, Bosnia and Herzegovina, Costa Rica, Nicaragua, Norway and Qatar for forging a cross-regional partnership to come to a resolution related to last year’s General Assembly thematic dialogue on education in emergencies. The EU is very pleased with the interest many delegations have shown, which has resulted in constructive consultations leading up to resolution 64/290, adopted today.

The candidate country, the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential

candidates Bosnia and Herzegovina, Montenegro and Serbia and the European Free Trade Association country Liechtenstein, members of the European economic area; as well as the Republic of Moldova, Armenia and Georgia align themselves with this statement.

The message of the resolution is clear. Education in emergencies deserves full attention at the same level as other equally important, life-saving needs that humanitarian assistance aims to address during an emergency, such as food, shelter, protection, water, sanitation and so on.

From the outset, the EU has engaged with partners to work on the resolution, stressing the universal character of the right to education in accordance with fundamental instruments such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights. The European Union would like to take this opportunity to state for the record that this resolution in no way alters the current norms and obligations of international law, in particular human rights and international humanitarian law, but merely attempts to clarify how those standards relate to the issue of education.

We commend the establishment of the education cluster of the Inter-Agency Standing Committee to address, in a coordinated manner, educational needs in emergency situations, including through partnerships for the implementation of the “Minimum standards for education: preparedness, response and recovery” handbook of the Inter-Agency Network for Education in Emergencies. Furthermore, we sincerely believe in financing according to assessed needs as a primary way to respond to the humanitarian needs of affected populations.

The European Union commends the work of the Office for the Coordination of Humanitarian Affairs and the United Nations agencies that provide humanitarian assistance, as well as the work of the special rapporteurs who monitor the specific issue of the right to education. The European Union also welcomes in particular the work of the Special Representative of the Secretary-General for Children and Armed Conflict on violations and abuses committed against children in armed conflict, and

continues to encourage the fulfilment of her precious task.

The European Union appreciates this resolution as an excellent one-off opportunity to consolidate all relevant issues concerning the right to education in emergency situations, while entrusting further follow-up to the appropriate United Nations bodies.

**Mr. González** (Costa Rica) (*spoke in Spanish*): I would like to begin by thanking the President for convening this plenary meeting of the General Assembly. I would also like to thank the Permanent Representative of Qatar for introducing resolution 64/290, entitled “The right to education in emergency situations”.

In most cases, humanitarian emergencies interrupt, deteriorate or partially or totally destroy access to the right to education. Furthermore, attention to this issue by the humanitarian actors that provide assistance is very limited or non-existent since most humanitarian assistance is limited to the traditional issues of food, medicine and shelter. This makes it even more difficult to re-establish educational services, sometimes for excessively protracted periods of time.

At the same time, the number of children in the world who do not have access to education because of complex humanitarian situations or natural disasters is alarming. This is undoubtedly not only an individual but also a collective burden in terms of the recovery and reconstruction of the affected areas. Education plays an important role in mitigating and reducing the risk of and vulnerability to natural disasters and in preventing abuses and violations. It is also an effective social investment for promoting development and preventing conflicts.

Costa Rica is proud to have been part of the process culminating in the adoption of today’s resolution, which highlights the importance of ensuring the right to education in emergency situations as an integral element of humanitarian assistance. The resolution brings together, in a balanced way, an approach based on human rights with an assessment of needs on the ground so as to ensure a humanitarian response that ensures the continuity and sustainability of funding from the initial response to the emergency to reconstruction.

The resolution is also a reminder that, while we acknowledge education as an imperative of human rights, even in emergency situations, neither the primary obligation of States nor the secondary responsibility of the international community with regard to a minimum level of access to and quality of education for all affected populations, without discrimination of any kind, should be suspended.

We hope that this resolution and the upcoming report of the Special Rapporteur on the right to education may help to identify the main challenges and to propose solutions to address this issue more effectively.

As one of the main sponsors of the resolution, Costa Rica joins in the thanks extended to all delegations that have worked actively and constructively throughout this process.

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of agenda item 114.

*The meeting rose at 3.45 p.m.*