



# General Assembly

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## Human Rights Council

Twenty-third session

Agenda item 3

**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Angola, Argentina, Armenia\*, Austria, Belarus\*, Belgium\*, Bolivia (Plurinational State of)\*, Bosnia and Herzegovina\*, Botswana, Brazil, Bulgaria\*, Burkina Faso, Costa Rica, Côte d'Ivoire, Croatia\*, Cyprus\*, Czech Republic, Ecuador, Egypt\*, Estonia, Finland\*, France\*, Georgia\*, Germany, Greece\*, Guatemala, Honduras\*, Hungary\*, Italy, Latvia\*, Lebanon\*, Lithuania\*, Luxembourg\*, Malta\*, Mexico\*, Monaco\*, Morocco\*, Mozambique\*, Norway\*, Peru, Portugal\*, Qatar, Slovakia\*, Slovenia\*, Spain, Sri Lanka\*, State of Palestine\*, Timor-Leste\*, Uruguay\*: draft resolution**

### **23/...Right to education: follow-up to Human Rights Council resolution 8/4**

*The Human Rights Council,*

*Reaffirming* Human Rights Council resolution 8/4 of 18 June 2008 and recalling all other Council resolutions on the right to education, the most recent of which is resolution 20/7 of 5 July 2012, and the resolutions adopted by the Commission on Human Rights on the subject,

*Reaffirming also* the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, and other relevant international instruments,

*Bearing in mind* General Assembly resolution 67/18 of 28 November 2012 on education for democracy,

*Deeply concerned* that, according to the United Nations Educational, Scientific and Cultural Organization, progress towards many of the Education for All goals set for 2015 is slowing down, and that most of these goals are unlikely to be met, although progress in some of the world's poorest countries shows what can be achieved with the commitment of

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\* Non-member State of the Human Rights Council.

national Governments and aid donors, including greater numbers of children attending pre-school, completing primary school and making the transition to secondary education,

*Mindful* of the role that the full realization of the right to education for all plays in helping to achieve the Millennium Development Goals, noting in this regard the commitments relating to education contained in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, including to ensure quality education and progression through the school system, and the need to ensure that the right to education is central in the context of the post-2015 agenda,

*Aware* of the role that communications procedures can play to promote the justiciability of the right to education, and welcoming in this regard the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Notes with appreciation:*

(a) The report of the Special Rapporteur on the right to education on the justiciability of the right to education;<sup>1</sup>

(b) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(c) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(d) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the Millennium Development Goals of achieving universal primary education and eliminating gender disparity in education and the goals of the Education for All agenda;

(e) International initiatives aimed at discussing and advancing the education agenda beyond 2015, while underlining the importance that the Open Working Group on Sustainable Development Goals and other ongoing consultation processes can play in this regard;

3. *Calls upon* all relevant stakeholders urgently to increase their efforts so that the goals of the Education for All agenda can be achieved by 2015, and welcomes in this regard the Education First initiative launched by the Secretary-General on 26 September 2012, including its three priority areas of putting every child in school, improving the quality of education and fostering global citizenship;

4. Urges all States to give full effect to the right to education by, inter alia, promoting the justiciability of the right to education by such means as:

(a) The adoption of adequate legislation on the implementation of the right to education;

(b) The creation or strengthening of appropriate independent institutions and mechanisms to deal with complaints related to the right to education, stressing in this regard the importance of the independence of such institutions, including the judiciary;

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<sup>1</sup> A/HRC/23/35.

(c) Ensuring full protection of the right to education, including as it regards the responsibilities of private providers of education;

(d) Facilitating access to appropriate adjudicatory procedures, including by adopting relevant provisions on legal standing and legal aid;

(e) Ensuring adequate training of professionals involved in the examination of complaints related to the right to education, including judges, prosecutors, lawyers and, where appropriate, members of competent and relevant quasi-judicial mechanisms;

(f) Fostering human rights education and information efforts concerning the enforceability of the right to education and available mechanisms to enforce this right at the national, regional and international levels;

(g) Encouraging the development and use of appropriate indicators on the right to education;

5. *Urges* States and other relevant stakeholders to intensify their efforts to disseminate and to promote universal respect for and understanding of the United Nations Declaration on Human Rights Education and Training as a means to give full effect to the right to education worldwide;

6. *Encourages* the Office of the High Commissioner, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies and programmes, within their respective mandates, to continue their efforts to promote the realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

7. *Stresses* the importance of the contribution of national human rights institutions, non-governmental and civil society organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

8. *Decides* to remain seized of the matter.

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