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**OIDEL**





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**37<sup>ème</sup> session (26 Février / 23 Mars 2018)**

#### **Item 3, Clustered Interactive Dialogue with the Special Rapporteur on cultural rights**

We celebrate the content of your report on cultural rights. As you explained in this report we recognize the important role that interactions through artistic and cultural expressions can have in the realization of human rights. Specifically, in the field of cultural rights, artworks play an essential role on the expression of cultural diversity, and this is why they require also a human rights protection.

On this regard we want to highlight your recommendations concerning the educational sector. We are glad that the Special Rapporteur has focused on the importance of the educational sector for the realization of cultural rights in the arts field. Among the recommendations we would like to underline, the consideration of the creation of centers of innovation for this field and the importance of training materials that include a cultural rights perspective.

The Delors and Faure reports insist on education as “learning to be”. The general comment 13 on the right to education also considers the importance of education as a cultural right. This is particularly important in the field of minorities and diversity. And it needs to be highlighted that the existence of alternative schools to the mainstream systems guarantee this diversity. Education plays an important role for artistic production as a way to express and vindicate the cultural dimension of the self and the community. Bearing in mind education as “learning to be” the existence of an education rooted with the culture of the children is essential for the maintenance of the cultural identity, and therefore to existence of cultural diversity. Without this conception the consideration of education as a cultural right and education as something that can preserve cultural diversity, the protection of artistic expressions as a tool for the realizations of human rights is incomplete. Once again, I think it is important to vindicate the existence of alternative schools different from the mainstream

system, especially in countries where the mainstream culture is overriding the cultural minorities and therefore its art production.

We would like to hear a bit more of the special rapporteur on cultural rights on this regard and we would also like to suggest her the possibility of doing a future report on the importance of education for cultural rights.



### **High-Level panel discussion: 70<sup>th</sup> anniversary of the UDHR, and 25<sup>th</sup> anniversary of VDPA**

We celebrate the 70th anniversary of Universal Declaration of Human Rights and the 25th anniversary of the Vienna Declaration and Programme of Action, two cornerstones of today's international human rights law system and of the continue struggle to achieve a free, just, equal and peaceful world where human beings and their dignity are at the center.

As a diamond in the rough, some of the potential of the Universal Declaration of Human Rights has already been developed, but some remains still unfulfilled. In article 28<sup>1</sup>, the Declaration clearly calls for social justice in the world. Freedom, justice and peace would be possible only if the peoples of the world and nations

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<sup>1</sup> UDHR, article 28 "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized"

recognize fully the notion of being a human family and act towards one another in a spirit of brotherhood.

A crucial new step to honor the spirit of the UDHR, to advance the respect of all human rights and obtain benefits from an enhanced international cooperation, would be to develop the principle of solidarity into the right to international solidarity. In our opinion, this right is very much needed nowadays for the safeguard of the human dignity, the respect of the principle of equality, and for facing the complexity of global problems such as the increased migratory flux, the threats posed by climate change and raising conflicts.

In this regard, APG23 and the co-signing NGOs welcome the draft declaration on the right to international solidarity<sup>2</sup>, and hope that it will be soon adopted by the General Assembly.

We welcome also the adoption by the General Assembly in 2016 of the declaration on the right to peace<sup>3</sup>, another important step for the progress of the human family towards the awareness that human rights, development and peace are strictly linked and mutually reinforcing.

The Vienna Declaration and Programme of Action reaffirmed the principles of the universality, indivisibility, interdependence and interrelatedness as well as the equal dignity of human rights. In this regard, there is need to protect the universality of human rights and counter the risk of selectivity exercised by some countries in name of traditions that are not respectful of human rights, and by other countries in name of a culture that exacerbates individualism. The Vienna declaration and Programme of Action also forged a consensus on the Right to Development as a universal and inalienable human right. Time has come to implement fully this fundamental right taking also advantage of the momentum created by the adoption of the 2030 Sustainable Development Agenda.

As the years pass, let us make sure that the UDHR and the VDPA are not just monuments to be admired or documents to be archived but rather the

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<sup>2</sup> A/HRC/35/35

<sup>3</sup> General Assembly resolution, 71/189, Declaration on the Right to Peace, A/RES/71/189 (19 December 2016)

foundation pillars upon which human rights law and instruments should be further developed!



### **Item 3, Interactive Dialogue with the Special Rapporteur on minorities**

Firstly, we will like to congratulate the new Special Rapporteur on minority issues Mr. Fernand de Varennes and we wish him every success in his work. We also want to take the opportunity to offer him our support and assistance during his mandate.

We celebrate that among the priorities of the new mandate the Special Rapporteur has highlighted the right to education. We want to highlight the important role that education plays for the protection of minorities as it is already recognized in article 4.4 and 4.5 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Education is a cultural right and as Emmanuel Kant said it is the process through a man becomes a man in all the spheres, including the identity. The human being cannot be conceived as an isolated island and therefore this is why is so important that the education a child receives is culturally rooted. The respect of the cultural dimension of education enables children to understand in

a holistic way who they are, where do they come from and to understand its surroundings. This is particularly important in the context of the protection of minorities.

To guarantee the respect of the cultural dimension of education to guarantee minorities rights it requires the existence of alternative schools to the mainstream system. On this regard, we can underline the important role that the Christian Schools are playing for Christian minorities in the Middle East, the Jewish Schools in Europe or the Maori Schools in New Zealand. On this regard, it is also important to highlight the importance that the States fund these schools. We cannot acknowledge a proper recognition of minorities if they have to pay more to attend to schools respectful with their culture.

### **38<sup>ème</sup> session (18 Juin / 6 Juillet 2018)**

#### **Items 2 & 3, SG/HC Thematic reports**

We would like to make a few comments on the United Nations Higher Commissioner for Human Rights report *Procedures and practices in respect of civil society engagement with international and regional organizations*. Firstly, we celebrate that the OHCHR keeps supporting and considering positively the role of civil society for the realization of human rights.

We would like to recall the important role that the Education 2030 grant to civil society. Education 2030 recognizes that “*civil society (...) organizations play essential roles. (and that) They need to be engaged and involved at all stages, from planning through to monitoring and evaluation, with their participation institutionalized and guaranteed.*”(UNESCO, 2016, par. 80)

On the field of education, EDUCATION 2030, grants three functions to the civil society: mobilization and awareness, develop new approaches and assessment and follow up. This third function acknowledges the importance of civil society to hold governments accountable for delivery tracking evidence-based advocacy. We would like the OHCHR to take more into account good practices of the civil

society concerning the functions that the EDUCATION 2030 grants them in order to guarantee a better realization of the Sustainable Development Goal 4.

On this regard we would like to share one research of OI DEL. *The Freedom of Education Index – Correlation with selected indicators* is a research done with the aim to observe the impact that freedom of education has on social cohesion, good governance, democracy quality or pluralism and respect of Human Rights, among other indicators. This research also assesses the evolution of freedom of education since 2002, and the impact that the international instruments have on the reinforcement of this liberty. The aim of this research is that the right to education policies are based in evidences.

OI DEL considers that this kind of field research can be a good example of how civil society organization collaborates with the States to develop their human rights policies. We would like the OHCHR to consider this kind of good examples also in their reports.



### **Item 3, Clustered Interactive Dialogue with the Independent Expert on human rights and international solidarity and Special Rapporteur on the right to education**

APG23 and other 8 co-signing NGOs welcome the report<sup>4</sup> of the Independent Expert on human rights and international solidarity where Mr Okafor delivers his vision-setting and lays out topics he intends or hopes to engage with during his mandate.

We are very glad to know that the Independent Expert intends, among other objectives, to build on the work of the previous mandate holders, to enlarge the consensus on the mandate among States and other stakeholders, and to put more efforts to demonstrate the deep interconnections between human rights-based international solidarity and many key international relations issues.

We understood that the Independent Expert is very keen to push forward the draft Declaration on the right to international solidarity presented by Ms Virginia Dandan at the 35th regular session of Human Rights Council. In this regard, being our NGOs advocators of the right to international solidarity, we wish to reiterate our full support.

The Independent Expert has introduced the wording “human rights-based international solidarity” and we think that this is a further important move to define both the principle and the right of international solidarity at international level. We are looking forward for Mr. Okafor to further elaborate on this concept.

We are also glad that the Independent Expert will include in his future reports some thematic priorities of global concern. In our opinion, migration and climate changes are, above all, the greatest global challenges that require a renewed commitment to international solidarity by States and all the other stakeholders. In regard to migration, Pope Francis once said<sup>5</sup>: “The duty of solidarity is to counter the throwaway culture and to give greater attention to those who are weakest, poorest and most vulnerable. Thus, a change of attitude towards

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<sup>4</sup> A/HRC/38/40

<sup>5</sup> Message for the World Day of Migrants and Refugees, 5 August 2013

migrants and refugees is needed on the part of everyone, moving away from attitudes of defensiveness and fear, indifference and marginalization – all typical of a throwaway culture – towards attitudes based on a culture of encounter, the only culture capable of building a better, more just and fraternal world”.

Finally, we invite all the Member States, UN agencies, National Human Rights Institutions and NGOs to attend our parallel event on International Solidarity and Migration that will be held on 20 June from 11 to 12 hours in room XV. The Independent Expert will intervene in the panel.

### **Item 3, Interactive Dialogue with the Special Rapporteur on the right to education**

We really appreciate the report of the Special Rapporteur on the Right to Education. OIDEL also acknowledges a proper governance on the right to education as an essential cornerstone for the real implementation of the right to education.

Firstly, we would like to thank the special rapporteur to conceive the full issue of governance from a rights-based approach. Although governance is required to be efficient and effective these cannot be the only two criteria for a good governance of education. Education is a human right and that implies inclusion, non-discrimination and concrete obligations for the state. This perspective that comes from the international instruments can enable a right to education that directs citizens *“to the full development of the human personality and to strengthening of respect for human rights and fundamental freedoms”*.

Secondly, we appreciate that the special rapporteur links the good governance with the success of the Agenda 2030. The SDG 4 implies a human rights-based governance from the part of the states that covers all the areas concerning the right to education. On this regard access to information, transparency, participation, accountability, monitoring and justiciability play an essential role.

Finally, we would like to make a little remark. Freedom of education is an essential part of the right to education. The rights of parents of choose the education they want for their children is recognized in the article 26.3 of the Universal Declaration of Human Rights and 13.3 and 13.4 of the International Covenant on Economic, Social and Cultural Rights. Good governance from a human rights perspective should take into consideration this dimension of the right to education. There is not much said on this regard about this topic in the report and we would like to hear what good governance implies on this regard according to the special rapporteur?

### **39<sup>ème</sup> session (10 Septembre / 28 Septembre 2018)**

#### **Focus of the Fourth Phase of the World Programme for Human Rights Education**

We welcome the report of the Office of the High Commissioner released in June<sup>6</sup>, which summarizes the views of States, national human rights institutions, civil society organizations and other stakeholders on the target sectors, focus areas and thematic human rights issues for the fourth phase of the World Programme for Human Rights Education.

The majority of the stakeholders responded that the next phase should focus on youth. More than a third of the 169 targets of the SDGs also emphasize the crucial role of young people: it is key to join efforts and align the focus of the fourth phase of the World Programme with the 2030 Agenda for Sustainable Development and specifically with SDG 4.7.

Youth are critical agents of change. It is essential to empower them through Human Rights Education to become active global citizens, ultimately contributing to build inclusive societies, overcoming social divides, hatred and discrimination aiming at the lofty objective of the UN of leaving no one behind.

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<sup>6</sup> OHCHR (2018) Views of States, national human rights institutions and other stakeholders on the target sectors, focus areas or thematic human rights issues for the fourth phase of the World Programme for Human Rights Education. A/HRC/39/35.

The next phase of the World Programme for human rights education should also promote youth leadership and aim to support youth serving organizations that engage marginalized young people and build upon the diversity of their experiences.

Keeping these in mind, we call upon all Member States to ensure the following:

1. The fourth phase of the World Programme should include a strong focus on youth with a particular emphasis on empowering youth from marginalized backgrounds.
2. The fourth phase of the World Programme should build on previous phases and should ensure the clear accountability of States and set realistic goals and means for national actions involving all stakeholders, including civil society actors.
3. There must be further efforts to strengthen monitoring and evaluation mechanisms. Human rights education needs to be effectively mainstreamed in the UPR. For this, all stakeholders, including civil society actors, have a critical role to play.



## **Interactive dialogue with the Special Rapporteur on Indigenous Peoples**

First of all, we want to thank and support the special rapporteur Ms. Victoria Tauli-Corpuz for her report. OIDEEL considers that this compilation of complaints and violations against human rights is necessary to start improving the situation of indigenous peoples.

One right we miss among the human rights violations compilation against indigenous peoples is the right to education. Article 5 of the Universal Declaration on Cultural Diversity says, "*All persons are entitled to quality education and training that fully respect their cultural identity*". Inclusion in education is a matter of quality and respect of identities, and thus inclusion of all members of the political community, including all the identities such as national minorities or indigenous peoples.

Emmanuel Kant said that "*Man can become Man only through education*". Indeed, when we talk about education, we are in the field of the right of "Being", in the field of identity, and not only in the field of the right "to possess" cultural rights. That is why Faure (1972) and Delors (1996) insist on education as "learning to be".

Article 14 of the Declaration of Indigenous peoples states that "*Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning*". The holistic vision of the right to education is essential for indigenous peoples as it guarantees their right "to be" and the right "to be" of their children. I am afraid that many violations against the right of indigenous peoples to establish and control their educational institutions are taking place. This right is essential in order to guarantee that their culture, traditions and language are respected and learned. I would like to ask the special rapporteur to take into consideration this dimension and maybe consider it for the next report.

## **Item 10, Interactive Dialogue with the Special Rapporteur on Central African Republic**

First of all, OIEC would like to thank the independent expert for her new report on the situation of human rights in the Central African Republic. OIEC is an NGO representing Catholic Schools around the world including the RCA, where Catholics schools can play and are playing an important role for the pacification of the country.

We would like to raise the voice to report the difficulties that Catholic Schools are facing. We would like to point out that many Catholic Schools have had to close several. Two reasons can be attributed: First the lack of public authorization for opening new Catholic schools. Secondly, the impossibility or difficulty to renew the authorization for running some existing Catholic schools. In view of the situation in Central Africa Republic, closing these schools deprive children of their right to education. Moreover, it should not be administrative causes the ones that are limiting the right to education of children. We hope that the Special Rapporteur can warn about these difficulties.

Furthermore, despite the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC), serious violations against children persist. Indeed, in 2017, there was a significant increase in the number of children recruited in armed groups, who remain deprived in particular of their right to education. This is especially problematic because as stated by the Special Rapporteur, there is a unanimous wish of Central Africans to prioritize on sectors such as education.

Since 2014, when the military-political crisis escalated, RCA Catholic Education took the risk of organizing the baccalaureate exam to give hope to children to pursue their studies. Moreover, Catholic Schools also have made significant efforts to continue to provide education across the country. The provision of the right to education across the country despite the traffic conflict have been a priority for RCA Catholic Schools.

As stated by Education 2030 and the UNESCO document « Rethinking Education », the partnership between government, civil society and national education organizations is crucial in the field of education. Especially in contexts such as war we would like to see that the state must have confidence in its partners, to guarantee the right to education.

### **Item 3, Interactive Dialogue with the Special Rapporteur on the right to development**

APG23 welcomes the report of the Special Rapporteur on the right to development<sup>7</sup>. We truly believe that inequality is one of the main problems that affects our societies and the realization of sustainable development.

We live in a world of plenty. Yet, for millions of people across the world, this is also a period of deprivation. The challenge of today is both to address the deepening inequalities within and among States and persisting poverty and to ensure a life of dignity for all.

It is a known fact that inequality not only undermines development in an economic dimension, but it also threatens democratic life, social cohesion and resources redistribution.

The right to development together with its components of participation, empowerment and accountability should be the tool in addressing these inequalities. The Right to Development, in fact, recalls on the duties of States and the international community to create an enabling environment for a more equitable and prosperous society.

We should bear in mind that the Right to Development places the emphasis not only on the equality of rights but also on equity. Equality and equity differ substantially, being equity a concept that goes far beyond the fair redistribution of benefits and calls for the creation of equal opportunities.

APG23 would also like to make the following recommendations to States and international organizations:

- to measure progress in tackling inequality accurately;
- to adopt national and international policies to narrow the disparities and give equal opportunities;

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<sup>7</sup> A/HRC/39/51

- to incorporate active, free and meaningful participation, accountability and empowerment of individuals and marginalized groups in the design, implementation, monitoring and evaluation of development programmes;
- to endeavour their commitment to ensure inclusive and participatory processes in order to leave no one behind.
- to assess and address the impacts of policies on the achievement of SDG10.

The right to development together with the proposed right to international solidarity and the 2030 Agenda represent valid and effective instruments to achieve a more equitable development and universal access to the elements of development for all people.

Time has come to leave no one behind, and to eradicate all forms of discrimination, for a meaningful participation for all human beings to enjoy an integral development that consists in social, economic, cultural, political and spiritual development.



## Déclarations écrites

**37<sup>ème</sup> session (26 Février / 23 Mars 2018)**

### **Proposals for the focus of the 4th Phase of the World Programme for Human Rights Education**

This statement reflects views expressed in discussions of the NGO Working Group on Human Rights Education and Training of the NGO Committee of Human Rights of CoNGO.

#### **1). The adoption of a cultural approach**

During the Panel discussion on the 5<sup>th</sup> Anniversary of the United Nations Declaration on Human Rights Education and Training that took place during the HRC 33<sup>rd</sup> session, one of the most repeated ideas was the importance of *the acceptability and cultural appropriateness of the human rights educational programmes*. OHCHR report stressed this challenge as one of the four most important dimensions to implement human rights education<sup>8</sup>. Moreover, several delegates stressed *the need for a sound methodology that took into account different cultural contexts*<sup>9</sup>.

We draw attention to the requirement of the United Nations Declaration on Human Rights Education and Training<sup>10</sup> in article 5 par. 3, that provides that *Human Rights Education and Training should embrace and enrich, as well as draw inspiration from, the diversity of civilizations, religions, cultures and traditions as it is reflected in the universality of human rights*. Par. 4 of the same article stresses that *human rights education and training should take into account different economic, social and cultural circumstances (...) in order to encourage ownership of the common goal of the fulfillment of all human rights for all*.

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<sup>8</sup> OHCHR (2016) Panel discussion on the implementation of the United Nations Declaration on Human Rights Education and Training: good practices and challenges, par.17

link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/075/50/PDF/G1707550.pdf?OpenElement>

<sup>9</sup> OHCHR (2016) *ibid*, par.27

link: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/075/50/PDF/G1707550.pdf?OpenElement>

<sup>10</sup> cf A/RES/66/137.

Target 4.7 of the Framework for Action 2030 is to ensure that *“all learners acquire knowledge and skills needed to promote (...) global citizenship, appreciation of cultural diversity and culture’s contribution to sustainable development.”* In order for children from different cultural backgrounds to learn and assimilate human rights concepts, it is necessary that teachers, lay instructors and discussion leaders should always seek to be respectful of cultural diversity, particularly of cultural minority children. This approach is essential for good human rights learning outcomes for minorities of all ages.

As stated in the UNESCO World Report *“Investing in Cultural Diversity and Intercultural Dialogue,” (...)* *cultural diversity can further the exercise of rights and freedoms, since to ignore cultural realities would be tantamount to affirming formal rights and freedoms without ensuring that they can in practice be rooted and enjoyed in diverse cultural contexts.”* It states further: *There is a need to strengthen the foundations of universalism by showing how it can be embodied in a wide variety of practices without being compromised. Cultural diversity is central to human rights. These rights must be appropriated at the local level, not as elements superimposed on cultural practices but as universal principles deriving from the practices themselves. For each culture practice constitutes a pathway to the universal, testifying to our shared humanity (p. 33).<sup>11</sup>*

Finally, the CESCR General Comment No. 13 on the Right to Education already stressed the importance of education to be acceptable. The General Comment understands acceptable as relevant, culturally appropriate and of good quality to students and parents. The disconnection between human rights education and the cultural and religious background of parents and students makes implementation difficult. It is essential to adapt and link the human rights education and training to the cultural background of the students.

The first three phases of the World Programme for Human Rights Education were focused on specific sectors. Nevertheless, the resolution 59/113 that establishes the World Programme does not establish any obligation to focus the

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<sup>11</sup> UNESCO (2010), *World Report Investing in Cultural Diversity and Intercultural Dialogue*, Executive Summary, p.32-33.

different phases on a specific target group or sector. The resolution establishes that the World Programme is “*to advance the implementation of human rights education programmes in all sectors*” (p.3). For this reason, a focus on the cultural approach to allow a better implementation of Human Rights Education would be compatible with the mandate of the World Programme for Human Rights Education.

We hasten to add that we are not advocating the cultural relativism of human rights themselves but rather that the pedagogy of human rights education should reflect the reality of a culturally diverse world.

Stated succinctly, our proposal is that the focus of the fourth Phase be the development and sharing by Member States of culturally sensitive and effective human rights education.

We can mention different examples to illustrate the cultural approach, not only in the teaching methods but also in values as stated in the UN Declaration on Human Rights Education and Training cited above.

1. “Les greniers à mots”, a research carried out from 2004 to 2007 by the Interdisciplinary Institute for Ethics and Human Rights of the University of Fribourg, supported by the Organisation Internationale de la Francophonie and the Federal Department of Foreign Affairs of Switzerland. Exploring African and Arabic languages, it has shown that the diversity of languages promotes a better understanding of universality and reinforces the anthropological sources of human rights.<sup>12</sup>

2. The publication of the Conseil Consultatif des droits de l’homme du Maroc entitled : *La Déclaration Universelle des droits de l’homme et l’ordre juridique marocain*<sup>13</sup>

3. The collection of quotations published by UNESCO, drawn from a wide variety of traditions and periods, which, with their profound concordance

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<sup>12</sup> Cf <http://www.unifr.ch/iiedh/fr/recherche/diversite-et-droits-culturels/greniers-a-mots>.

<sup>13</sup> [2000] Rabat.

enhanced by the very diversity of their origins, would illustrate how human beings everywhere, have asserted and claimed the human rights.<sup>14</sup>

## 2). The fourth phase of the World Programme should address youth

There are about 1.8 billion young people (between the ages of 10 and 24), which is the largest youth population ever, according to UN data.<sup>15</sup> As the SDGs recognize, youth are “critical agents of change” that will shape the future.<sup>16</sup> Their crucial role in peace building has also been stressed by the UN Security Council in its Resolution 2250 on the *Role of Youth in Peace and Security*.<sup>17</sup> There are growing challenges that disproportionately affect the current generation of youth, who is also especially vulnerable to radicalization that leads to violent extremism<sup>18</sup>. Nevertheless youth play a crucial role in realizing human rights, peace, and sustainable development as mentioned in the resolution on youth and human rights adopted during the 35<sup>th</sup> session of the Human Rights Council.<sup>19</sup> .

If youth can uphold, protect and respect human rights, they can contribute towards the realization of a ‘pluralist and inclusive society’, as articulated in the UN Declaration on Human Rights Education and Training<sup>20</sup>.

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Chaire UNESCO, Université de La Rioja Chaire UNESCO, Université de Bergame Collège Universitaire Henry Dunant EASSE Small Internet Users (SIU) NGO(s) without consultative status, also share the views expressed in this statement.

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<sup>14</sup> Jeanne Hersch (ed) (1969) *Birthright of Man*, UNESCO, Paris. On this basis A. Fernandez showed that article 1 of the Universal Declaration is founded in different cultures and religions. Cf A. Fernandez (2000) *La Universalidad de Derechos Humanos El artículo primero de la Declaración en los textos de las culturas y religiones* in *Hacia una cultura de los Derechos Humanos*, Universidad de Verano de Derechos Humanos, Geneva.

<sup>15</sup> UNFPA (2014), *The Power of 1.8 Billion: Adolescents, Youth and the Transformation of the Future*

<sup>16</sup> UNGA (2015), *Transforming our world: the 2030 Agenda for Sustainable Development*, Doc A/RES/70/1

<sup>17</sup> UN Security Council, (2015) Doc S / RES / 2250

<sup>18</sup> HRC (2015) *Human Rights and preventing and countering violent extremism*, Doc A/HRC/30/L.25/Rev.1.

<sup>19</sup> HRC (2017) *Youth and Human Rights*, Doc A/HRC/35/L.22.

<sup>20</sup> UN Resolution on Human Rights Education and Training (2011) A/HRC/RES/16/1.

# United Nations Forum on Minority Issues

## Déclarations orales

### 11<sup>ème</sup> session (29-30 Novembre 2018)

#### **Item 2: Root causes and consequences of statelessness affecting minorities: preventing statelessness a human rights approach**

The NGO Platform on the Right to Education welcomes the organization of this Forum. We consider it urgent to offer mechanisms to guarantee the realization of the right to education to stateless people.

Today, we would like to highlight two dimensions: lifelong learning as an essential part of the right to education and education as a cultural right.

As the former Special Rapporteur on the Right to Education pointed out, “right to fundamental education is not limited by age or gender, it extends to children, young people, adults, including older persons”.

Statelessness disproportionately affects vulnerable groups such as women, children, migrants and people on the move, who do not receive appropriate education, either for the lack of identification documents or for not having a stable position. Lifelong learning programs should be made available for those stateless adults without fundamental education. As stated in the Convention Relating to the Status of Stateless Persons, the promotion of education for stateless individuals should happen at every level.

Secondly, education is also a cultural right. Educational programs for stateless people should focus on the development of personal identity. Alfred Fernandez, who has been the coordinator of the Platform since its foundation, used to say that denying such right means depriving someone of his humanity.

The Special Rapporteur on Minority Issues highlighted that education allows for a better integration of minorities into society and protects their identity. It would be beneficial to take into consideration minorities’ cultures, languages and

traditions when drafting school curricula to boost inclusiveness and respect for diversity among younger generations.

We advocate for the eradication of practices that arbitrarily deny people a nationality on the basis of discriminatory parameters such as ethnicity, religion or language and we endorse the implementation of specific stateless determination procedures (SDPs).

We align with the call of this Special Rapporteur to engage all spheres of society for the correct implementation of these rights, with due regard to those of stateless people. The cooperation of national and international human rights institutions, private actors and civil society is essential for the achievement of this goal.