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Cultural Organization

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**REPORT BY THE DIRECTOR-GENERAL ON THE NINTH SESSION  
OF THE JOINT ILO/UNESCO COMMITTEE OF EXPERTS ON THE APPLICATION  
OF THE RECOMMENDATIONS CONCERNING TEACHING PERSONNEL (CEART),  
AND REPORT BY THE COMMITTEE ON CONVENTIONS AND RECOMMENDATIONS  
THEREON**

## Summary

In accordance with 169 EX/Decision 3.4.1, the Director-General hereby submits to the Executive Board the report of the ninth session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), Geneva, 30 October-3 November 2006 (CEART/9/2006/10)<sup>1</sup> attached to the present document. The findings of this experts' report are summarized in the present document.

Decision proposed: paragraph 11.

<sup>1</sup> The experts' report is available in English, French and Spanish.

## BACKGROUND

1. Every three years a committee of 12 independent experts appointed by the Directors-General of UNESCO and the Governing Body of ILO hold a work session in which they review the extent to which the Member States have applied the 1966 Recommendation concerning the Status of Teachers and the 1997 Recommendation concerning the Status of Higher Education Teaching Personnel. The Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) then produces a report making recommendations to the Executive Board of UNESCO and the Governing Body of ILO to enhance the application of the two Recommendations. The report of the ninth session, held at ILO from 30 October to 3 November 2006, is annexed to this document (CEART/9/2006/10).

2. The intent of the CEART report is to highlight trends in the key areas covered by the two Recommendations and to make suggestions to UNESCO and ILO on how to improve implementation of these Recommendations. The main body of the report deals with programmatic education, teacher employment and issues concerning teaching/learning conditions, described as they relate to the priorities of both organizations and with reference to the provisions of one or both Recommendations. The CEART report also deals, in Appendix II.2, with allegations of non-application of provisions of the 1966 and 1997 Recommendations made against governments by teacher organizations. The report is issued in English, French and Spanish.

3. For information, the relationship between the mandate of CEART and that of the Committee on Conventions and Recommendations of the Executive Board of UNESCO (CR) is summarized in the explanatory note in the Annex to this document.

### Programmatic conclusions and recommendations

4. The ninth session of the CEART focused on the major themes of concern to teaching and education viewed through the prism of the two Recommendations on teachers: teacher education, initial and continual professional development; employment relationships, especially the growth in unqualified contractual teachers; teacher salaries, including performance or merit pay; effective teaching and learning conditions; social dialogue in education; and academic freedom, employment relationships, freedom of association and staff participation in decision-making in higher education. The Joint Committee paid special attention to transversal issues cutting across these themes: the implications of Education for All (EFA), worldwide teachers' shortages and growing international migration of teachers; the impact of HIV/AIDS on teachers and education systems; and gender issues.

5. Below are a few of the recommendations as an outcome of these discussions:

- (a) encouraging and assisting Member States in developing comprehensive positions on educational policy with a proactive approach towards improving the quality of education;
- (b) supporting the review of policies regarding pre-service and in-service training, recruitment of teachers, funding of contracts;
- (c) building on model education sector workplace policies developed by UNESCO and ILO, encourage governments to take action in implementing existing HIV and AIDS gender-sensitive workplace programmes for the education sector;
- (d) encouraging Member States to review teachers' salaries in relation to those paid to other professionals having comparable qualifications and levels of responsibility, and in relation to GDP per capita, and take steps to ensure that salaries paid to teachers are reasonably comparable;

- (e) advocating the development of effective and efficient public-private sector partnerships within a clearly defined regulatory framework and supporting governments to find strategies to improve teacher quality and ensure an adequate supply of teachers;
- (f) supporting governments and social partners, through social dialogue processes, in their implementation and monitoring these policies and programmes in the workplace;
- (g) developing more gender-inclusive policies;
- (h) supporting transparent mechanisms for staff appraisal and performance review consistent with the principles of the 1997 Recommendation.

### **Allegations relating to the 1966 and 1997 Recommendations on teaching personnel**

6. Since the last session in September 2003, five allegations were received from individuals or teachers' organizations relating to the application of the 1966 Recommendation and one was received from a teachers' organization in relation to the application of the 1997 Recommendation. Of these, only the one relating to the 1997 Recommendation was properly receivable, according to the criteria and procedures of the Joint Committee.

7. Further communications had also been received since 2003 from the Government of Japan and from the All Japan Teachers and Staff Union (ZENKYO) concerning the matters referred to in Annex 2 of the CEART 2003 report. These additional communications were examined by the Joint Committee's Working Party on Allegations and the Joint Committee adopted an interim report. The interim report was duly placed before the UNESCO Executive Board and the ILO Governing Body. In April 2006, ZENKYO forwarded further detailed information to the Joint Committee in which it asserted continuing departures from the standards set out in the 1966 Recommendation. Communication was also received from the Nakama Teachers' Union in relation to the introduction of the evaluation system in the Osaka Prefectural Board of Education district.

8. The Joint Committee received in August 2006, a communication from Education International and the Ethiopian Teachers' Association (ETA) concerning serious problems in Ethiopia. This was in addition to information previously examined by the Joint Committee in its earlier reports. The substance of the alleged matters is summarized in Appendix II to the CEART report.

9. Another allegation was received since the eighth session, from the National Teachers' Education Union (NTEU) of Australia on the non-observance of the 1997 Recommendation by the Australian Government. In accordance with the approved procedures, the Joint Committee requested the Australian Government to submit its observations on the NTEU's allegations. These were received by the Joint Committee from the Australian Government shortly prior to its ninth session. However, due to the time at which the observations of the Australian Government were received, it was not possible to obtain the response of the NTEU and to then obtain final comments from the Australian Government on this response prior to the close of the ninth session or the Joint Committee's term of office, in accordance with the relevant procedures. Accordingly, the Joint Committee was unable to proceed to a final consideration of the matter at the current session, and it was deferred for examination as an interim report in 2007 in accordance with the relevant procedures.

### **The Director-General's comments on the CEART report**

10. The Director-General notes with satisfaction the pragmatic nature of the Joint Committee's report, which is a collaborative education/labour inter-agency monitoring mechanism. In particular he appreciates the policy and programmatic proposals made to UNESCO, ILO, Member States and teachers' organizations. He also commends the special attention paid to transversal issues on the impact of HIV/AIDS on teachers, education systems and gender issues. He has also noted the review by the CEART of allegations contained in Appendix II. The Director-General acknowledges

efforts of the Committee on the adherence to the 1966 and 1997 Recommendations and in helping to resolve allegation issues.

### **Proposed draft decision**

11. The Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

1. Recalling 154 EX/Decision 4.4, 157 EX/Decision 6.3 and 169 EX/Decision 3.4.1,
2. Having examined document 176 EX/32,
3. Takes note of the report of the ninth session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART/9/2006/10);
4. Appreciates the work of the Joint Committee in stimulating action to promote greater awareness and wider application of the two Recommendations concerning the status of teaching personnel, and invites the Director-General to assist the Joint Committee in carrying out its next cycle of work, the report of which is foreseen for submission to the Executive Board in 2010;
5. Invites the Director-General to communicate the report of the Joint Committee, together with the observations of the Executive Board, if any, to Member States and their National Commissions, international teachers' organizations and other relevant international organizations having relations with UNESCO, and to encourage them to continue to intensify their efforts to apply all provisions of both normative instruments to improve the status of the teaching profession.

## ANNEX

### EXPLANATORY NOTE

#### **Clarifying the relation between CEART and the Committee on Conventions and Recommendations with respect to document CEART/9/2006/10**

#### **What is the relationship between CEART and the Committee on Conventions and Recommendations regarding communications concerning alleged human rights violations?**

1. This relationship is defined by paragraph 15 of the mandate of CEART as extended by 157 EX/Decision 6.3. Paragraph 15 relates the process of treating allegations of non-application of the 1966 or 1997 Recommendations to the processes of treating other types of allegations: "To be receivable, any allegation must be related to the provisions of either Recommendation, must emanate from a national or teachers' organization and must not fall within the competence of other bodies of ILO and UNESCO established to monitor conventions or other international instruments."

2. Accordingly, in practical terms, if a communication is (a) received at the Secretariat of ILO or UNESCO from a national or international teachers' organization, and (b) relates to the provisions of the Recommendations concerning either ILO or UNESCO, but (c) also falls within the competence of ILO committees such as the Committee of Experts on the Application of Conventions and Recommendations, or the Governing Body Committee on Freedom of Association, or the UNESCO Committee on Conventions and Recommendations, the communication is then referred by the Secretariat to one of those bodies instead of to CEART.

3. In some cases, some portions of an allegation of non-application of the 1966 or 1997 Recommendations fall under the competence of a non-CEART body. These portions are referred to that non-CEART body, while the other portions are reviewed by the CEART.

#### **What is the relationship between the 1966 and 1997 Recommendations concerning the status of teaching personnel, on the one hand, and UNESCO's conventions on education, on the other?**

4. First, there is generic difference between a convention, on the one hand, and a recommendation, on the other. The 1966 and 1997 Recommendations, for example, are not legally binding instruments, as is stated in paragraph 14 of the CEART mandate, whereas a convention is legally binding.

5. Second, there are similarities and differences of content. The 1966 and 1997 Recommendations are the only two instruments in the United Nations system that are entirely devoted to teaching personnel, whereas the conventions on education cover a wider spectrum of educational issues.

6. Also in regard to content, the 1966 and 1997 Recommendations contain provisions with regard to teaching personnel not only for education matters but also for labour matters.

#### **What is the relation of the educational programme content of the Report of the Director-General on the ninth session of CEART (176 EX/32), and the full CEART report, which is annexed to document 176 EX/32, to the work of the Committee on Conventions and Recommendations (CR)?**

7. The main part of the Executive Board document 176 EX/32 and of the CEART report, CEART/9/2006/10, deals with educational programmatic topics related to the application or non-application of the provisions of the two Recommendations in Member States. The full CEART

report also deals with the examination of allegations, treated in Appendix II of CEART/9/2006/10, and referred to in document 176 EX/32.

8. The Committee on Conventions and Recommendations examines the periodic reports of CEART in their entirety. This decision was taken by the Executive Board at its 82nd session, under item 4.2.4: “The Executive Board, ... being of the opinion that its Committee on Discrimination in Education could be given the task of examining this report of the Joint Committee” decided when entrusting it with this task, “to change the name of the said Committee to ‘Committee on Conventions and Recommendations in Education’”. Consequently, it is clear that the Executive Board decided that the Committee on Conventions and Recommendations should examine the policy and programme aspects of the report, as well as its human rights aspects. Since that time, the Committee on Conventions and Recommendations examines the reports of the Joint ILO/UNESCO Committee of Experts in its entirety and makes recommendations thereon to the Executive Board.

International Labour Organization

United Nations Educational, Scientific  
and Cultural Organization

**Joint ILO/UNESCO Committee of Experts  
on the Application of the Recommendations  
concerning Teaching Personnel**

**Ninth Session**

**Geneva, 30 October–3 November 2006**

**Report**

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## Executive summary

### The nature and scope of the report

This report summarizes the analysis of major issues affecting the current status of teaching personnel worldwide at all levels of education by the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), referred to in this report as the Joint Committee or CEART.<sup>1</sup> Major findings and recommendations on substantive issues are excerpted from the full report.

### Key issues

The Joint Committee's Ninth Session focused on the major themes of concern to teaching and education viewed through the prism of the two Recommendations on teachers:

- teacher education, initial and continual professional development;
- employment relationships, especially the growth in unqualified contractual teachers;
- teacher salaries, including performance or merit pay;
- effective teaching and learning conditions;
- social dialogue in education; and
- academic freedom, employment relationships, freedom of association and staff participation in decision-making in higher education.

The Joint Committee paid special attention to transversal issues cutting across these themes: the implications of Education for All (EFA), worldwide teachers' shortages and growing international migration of teachers; the impact of HIV/AIDS on teachers and educational systems; and gender issues.

In line with its mandate to monitor problems identified in the application of the 1966 and 1997 Recommendations, the Joint Committee also considered a series of allegations from teachers' organizations concerning non-observance of the Recommendations' provisions, and made recommendations to the Governing Body of the ILO and the Executive Board of UNESCO to help find solutions in member States (Appendix II).

<sup>1</sup> The Joint Committee is composed of 12 independent experts – six appointed by the ILO and six appointed by UNESCO – and it meets every three years to monitor and promote the application of the two international standards specific to teachers: the ILO/UNESCO Recommendation concerning the Status of Teachers, 1966, and the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, 1997. The report of this session contains recommendations to the Governing Body of the ILO and to the Executive Board of UNESCO, and through them to governments, employers' and workers' organizations of their member States, on how to improve the condition of the teaching profession within their respective mandates, using the two Recommendations as guidelines.

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## Sources and working methods

The Joint Committee's sources of information from the ILO, UNESCO and other international organizations are listed in Appendix I. The Joint Committee established a number of working groups to consider major themes, and made a number of recommendations in Part II of its report to improve its monitoring and promotional role in fulfilment of the mandate established by the ILO and UNESCO.

## Social dialogue in education

The basic prerequisites for dialogue are a democratic culture, respect for rules and laws, and institutions or mechanisms that permit individuals to express their views individually or collectively through unions or associations on issues that affect their daily lives on both a personal and professional basis. ... this implies respect for professional freedom and the active participation of individual teachers in deciding a range of professional issues – curricula, pedagogy, student assessment and issues relating to the organization of education.

Qualitative research [has] identified the sense of undervaluing, disempowerment and alienation that the average classroom teacher feels in many developing countries. The resulting reports ... provided examples that teachers, including head teachers, do not feel that they have a voice in education decision-making beyond their immediate teaching or school environment. There is a strong sense of distance from regional and national-level decisions that are eventually communicated to teachers as immutable decisions, often divorced from their daily situation.

Even where efforts are made with regard to education policy, they often remain in the realm of mere information sharing ... such forums should be broadened to permit more effective forms of social dialogue.

... educational authorities and teacher unions should try to jointly analyse problems and find solutions. Participatory processes and consultations are not a panacea to resolve ... difficulties, but they are virtually the only mechanisms for overcoming suspicion and establishing a positive climate for making and implementing education policy.

The Joint Committee noted that the climate for social dialogue continued to vary greatly across and within regions ... While substantial improvements are still necessary in a few regions, positive examples of growing and strengthened social dialogue can be observed. Improvements in implementing the four Conventions [ILO Conventions Nos. 87, 98, 151 and 154] were observed ... They provide positive examples of the possibilities of successful application of the principles of the Conventions in countries at different stages of development.

## Recommendations

The Joint Committee ... recommended that:

- (1) **member States** establish social dialogue, as defined above, as an integral part of education planning and policy formulation;
- (2) **teacher organizations** ... be encouraged and assisted in developing comprehensive positions on educational policy with a proactive approach toward improving the quality of education; ...

---

## Teacher education – Initial and continuing

In most countries, policies on teacher education are fragmented, with no links between pre-service and in-service training ... teacher education requirements, including those for technical and vocational education, are often not reflected in educational planning and budgeting.

Teacher recruitment remains high on the list of challenges relating to teacher education. There is continuing concern about the attractiveness of teaching as a career ... this has led to a lowering of entry standards ... unqualified persons and/or school leavers with no training whatsoever ...

The Joint Committee noted ... the increasing number of students entering teacher training with low academic qualifications, and the inability of traditional providers to take on the required numbers of new trainees to fill teacher shortages, leading to the employment of untrained teachers.

All countries reported concerns about the need for teachers to have the appropriate knowledge and skills to meet the new needs of school and society ... as a result of increasing globalization and the use of information and communication technologies.

Many countries continue to lack systematic induction programmes for beginning teachers or to make adequate provision for the professional development of teacher educators.

... the content of teacher training programmes did not focus adequately on reflective practice, active learning, innovation, creativity or partnership building.

In addition there was ... often a disjuncture between the [teacher] training provided and the realities of the schools, their communities, and the world of work.

## **Recommendations**

... the Joint Committee recommended that **UNESCO and the ILO**:

- (1) **encourage member States and teacher education providers** to refer to the Recommendations for guiding principles and minimum standards for planning, implementing and assessing teacher education programmes ... national or regional norms and standards of quality;
- ...
- (3) **support member States** in reviewing teacher education curriculum, [for] the development of reflective, innovative and creative teachers, able to respond to changing school needs and ... changing environments;
- (4) ... **support member States** in the provision of pedagogic training for all higher education teaching personnel ... to support reflective, innovative and responsive practice;
- (5) **encourage member States** to develop professional competency frameworks ...;
- (6) **support the development of teacher community networks** to facilitate dialogue and support ongoing professional development.

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## Employment and careers

... across the board, teacher shortages remain a major issue in education. In certain of the most acute cases there is an existing shortfall of approximately 30 per cent of qualified teachers in primary and secondary schools, with even greater shortages in remote and high-risk areas.

Teachers often feel that their work is undervalued and research confirms that relative salaries of teachers are declining in most countries. In a number of countries there is a high attrition rate, especially where teachers experience high workloads, violence, stress and poor working environments.

... many governments in developing countries have responded to shortages of teachers by adopting short-term, finance-driven measures relying heavily on increasing class sizes or engaging unqualified or poorly qualified teachers on a short-term contractual basis. The recruitment of such unqualified personnel as teachers ... has now become a more persistent and widespread practice.

The implementation of such strategies has ... carried with it an adverse trade off in terms of quality of education and the morale, status and conditions of the teaching profession ...

There is therefore, an urgent need to develop and implement policies ... within stipulated time lines to provide for continued professional development of contract or unqualified teachers and to integrate all teachers into a single, regular teaching force after attainment of requisite professional qualifications, as contemplated by the 1966 Recommendation.

... when student enrolments are dramatically increasing in many countries in the higher education sector, there has been a steady deterioration in academic staff salaries, conditions and career patterns, associated with the growth of casualization and ... de-professionalization of staff.

... increasing globalization effects have led to an unprecedented level of migration of both schoolteachers and higher education personnel across a wide range of countries. This has caused a considerable "brain drain" effect in many developing and transitional countries.

... present short-term, stop-gap or palliative strategies ... will ... need to be replaced by policies and long-term plans for pre-service and in-service training programmes designed to produce adequately qualified teachers ... and to elevate existing teacher qualifications ...

... a steady improvement of both the living standards and the working conditions of teachers will be essential ... to render teaching careers attractive to young persons and ... to retain qualified teachers ...

## **Recommendations**

The Joint Committee strongly recommends that **member States of the ILO and UNESCO** re-examine their funding and contractual policies in ... the recruitment of teachers ... examine and implement means by which long-term initial training, professional development and support policies and material benefits can be upgraded where appropriate ... to establish unified teaching services of desirable and consistent quality ... which properly reflect the nature of the professional task ...

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## Teaching and learning conditions

Lack of formal and appropriate professional preparation, especially ... occupational training for teachers in technical and vocational education, restricts career advancement as well as undermines their working conditions.

Pupil–teacher ratios have declined in most of the world, except sub-Saharan Africa and parts of Asia ... Large class sizes continue to impede the achievement of EFA goals ... overly large class sizes should be a time-bound solution.

Citizens who leave schools where teachers lack proper professional preparation are poorly suited for the labour force and civic participation ... Continued investment in the preparation of teachers is necessary.

... violence in schools had become a significant impediment to quality education ... the 1966 Recommendation insists on a safe teaching and learning environment.

## Recommendations

...

- (1) ... **governments** [should] place a high priority on teacher preparation programmes to ensure that all pupils benefit from the instruction of qualified teachers, and in effective teaching and learning conditions, at all levels of schooling;

...

- (3) **UNESCO and the ILO** promulgate examples of good practices for ... adequate teacher preparation programmes in countries that still lack an adequate supply of qualified teachers ...

## Teacher salaries

... in a significant number of countries, teacher salaries are simply not comparable with those paid in other skilled occupations of equivalent professional or even lower occupational level.

Where that situation exists it is difficult either to attract or retain persons of the intellect and motivation that are essential to achieve the delivery of high-quality teaching services.

... the recent work of the OECD concerning primary and secondary teachers has led that organization to conclude that merit pay at an individual level is not justified in terms of attracting and retaining teachers ... concerns have [also] been expressed as to the negative effects of individual merit pay on teamwork and school administration by the ILO's Joint Meeting on Lifelong Learning in the Twenty-first Century, Geneva, 2000.

... in more recent times, academic salaries have tended to lose ground to other professional occupations, contrary to Article 58 of the 1997 Recommendation.

... female academics are underrepresented, especially at the highest levels. They thus tend to be denied access to higher level salaries.

---

## **Recommendations**

... **governments of member States** [should]:

- (1) review teachers' salaries in relation to those paid to other professionals having comparable qualifications and levels of responsibility, and in relation to GDP per capita, and take steps ... to ensure that salaries paid to teachers are reasonably comparable ...;
- (2) ... consider alternative sources of education financing and alternative allocations of existing education expenditure ... in countries where teachers' salaries are considerably lower than those of other occupational groups;
- (3) ... not introduce systems of merit-based pay or reward, other than in accordance with Article 124 of the 1966 Recommendation;

## **Education for All**

Evidence from around the world suggests that approximately 18 million additional teachers will be needed to achieve the EFA goal of universal primary education by 2015.

## **Recommendations**

...

- (1) **governments** should include additional funding for teaching in educational reforms;
- (2) **governments** should develop a national teacher policy that ensures adequate and appropriate deployment of teachers in all regions within countries;
- (3) ... the **ILO and UNESCO** should encourage countries to develop effective and efficient public-private-sector partnerships within a clearly defined regulatory framework;
- (4) **the ILO and UNESCO** should encourage and support governments ... to foster measures that maximize school efficiency;
- (5) **the ILO and UNESCO** should support governments to find strategies to improve teacher quality and ensure an adequate supply of teachers;

...

## **HIV and AIDS and its impact on teaching**

HIV and AIDS continues to have a significant impact on education systems, especially in sub-Saharan African countries, impeding the effective application of the principles contained in the 1966 and 1997 Recommendations.

An important impact on the education sector comes in the form of higher human resource costs related to redeployed sick teachers and HIV-related teacher absences, higher medical treatment costs for teaching staff, and training of new teachers to replace those who cannot work or who die.



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... access to education and quality of teaching suffer in many rural areas deprived of qualified teachers. School directors and teachers are often not trained and/or supported to deal with the HIV and AIDS crisis within schools, including large numbers of HIV and AIDS orphans ...

... women and girls are often more adversely affected by the epidemic, due to physiological, socio-cultural and economic reasons.

## **Recommendations**

...

- (1) Building on model education sector workplace policies developed by the **ILO and UNESCO**, **governments** should, **in collaboration with teachers' unions and employers**, take action to implement existing HIV and AIDS gender-sensitive workplace programmes for the education sector ...
- (2) **The ILO and UNESCO** should ... support governments and social partners, through social dialogue processes, in their implementation and monitoring of these policies and programmes in the workplace.
- (3) **Governments, together with teacher education institutions**, should take measures to integrate HIV and AIDS and gender-sensitive content in teacher education curriculum and adult (non-formal) education.
- (4) **Governments and other employers of teachers** need to address policies to meet higher medical costs of HIV-affected teachers.

## **Gender and education**

... there continues to be a need to recruit women teachers at secondary and higher levels, and in some subject areas that were previously considered male domains, such as physics and mathematics ... there continues to be under-representation of women in leadership and management positions in schools and higher education institutions.

Effective and empowered women teachers: have a positive impact on girls' education ... women teachers can: serve as role models for girls; address the concerns of parents who will not allow daughters to be taught by male teachers; lead to better retention and achievement by girls in school; offer improved advocacy for girls' needs and perspectives; and provide more female-friendly learning environments.

## **Recommendations**

...

- (1) **Governments** should develop and implement better recruitment and retention strategies to ensure gender balance ... including quota targets, more flexible teacher training programmes, scholarships, pay equity and incentive programmes ... advocacy and awareness campaigns to change public perceptions of the teaching profession.
- (2) **Governments and social partners** should facilitate ... supportive environments for women teachers in regions where there are shortages of female teachers, through

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working with local non-governmental organizations, women's organizations, local networks of women teachers and mentoring programmes for female teachers.

- (3) **Governments, in collaboration with social partners**, should ensure professional development opportunities for women at secondary and tertiary levels and in management ...
- (4) **The ILO and UNESCO** should assist governments to develop more gender-inclusive content in teacher and professional training materials.
- (5) **Governments and other employers of teachers** should ensure equal representation of women and men in decision-making processes in teaching and management ...
- (6) **Governments and employers** should put in place conditions of work policies and practices ... such as family-friendly working hours, maternity/paternity leave and practices against harassment and workplace violence.

...

### **Academic freedom in higher education**

The most important trends impacting on academic freedom ... (varying from region to region):

- commercialization and privatization of higher education services;
- decentralization;
- decreasing continuity of employment, tenure and job stability of teachers;
- reduced public and external financing due to different priorities;
- brain drain in many countries;
- increased workloads;
- relative lack of attention given to universities and their teachers;
- weakening of teacher organizations in defending their rights and interests.

### **Recommendations**

... the following steps [should] be taken by the **ILO and UNESCO, in collaboration with the international university organizations and governments of member States** ...:

...

- (2) ... **UNESCO and the ILO** organize joint, regional workshops, seminars and symposia ... on the status of higher education teaching personnel ... to promote and implement the provisions of the 1997 Recommendation, particularly ... academic freedom;

...

- 
- (4) ... **member States** ensure the link between institutional autonomy and accountability and encourage accreditation mechanisms to support this practice;
  - (5) ... **the ILO and UNESCO** assist governments and higher education institutions to develop transparent mechanisms for staff appraisal and performance review, consistent with the principles of the 1997 Recommendation; and
  - (6) ... **governments of member States, university administrations and teacher organizations** ... engage in dialogue ... to enhanc[e] the principles of democracy, freedom, social responsibility, accountability, and transparency ...

## **Employment and tenure in higher education**

The evidence ... strongly pointed to the continued steady rise in the phenomenon of part-time and temporary teaching faculty in higher education institutions and regions. This trend has been driven by ...:

- massification of higher education (rapid increases in enrolment to meet student demand and equity goals without corresponding increases in resources);
- globalization, specifically the spread of transnational provision of higher education courses/programmes (distance learning);
- private tertiary institutions relying increasingly on contingent faculty;
- greater commercialization of higher education institutions which encourages hiring based on cost considerations and shifts in student demand;
- closer collaboration between higher education and the business world, which promotes part-time contracts for research and specific projects (research on demand)  
...
- ... the spread in the use of ICTs.

... the constraints on public sector resources for tertiary education were a major factor contributing to the instability in higher education employment relationships. Where faculty salaries were inadequate, staff were forced to accept part-time or temporary positions ... depriving their employer of the full benefit of their energies and talents.

... a disproportionate number of part-time and temporary faculty, in the most precarious jobs, were female.

## **Recommendations**

...

- (1) **Government and other educational authorities** examine the use of part-time and temporary appointments in relation to the needs of academic institutions and the principles of the 1997 Recommendation.
- (2) **Unions representing higher education teaching personnel** use appropriate means to improve the position of temporary and part-time staff ... providing opportunities for stable employment and professional development of junior faculty ... [and] assisting in achieving gender balance in tertiary education.

- 
- (3) **UNESCO and the ILO, in collaboration with organizations of teachers and academic employers**, gather and disseminate ... data on the nature of part-time and temporary academic staff in all regions of the world.

...

- (5) **Governments or educational authorities** facilitate the acquisition by temporary or part-time faculty of the necessary qualifications to become eligible for tenure or permanent status.

## **Higher education: Freedom of association and staff participation in decision-making**

... significant trends have emerged towards ... “academic capitalism”, involving institutional or professional market or market-like efforts ...

In this context, universities are increasingly adopting corporate models and restructuring their operations to reflect business, rather than academic functions.

These developments have resulted in a weakening of collegiate management arrangements ... [and] a concomitant strengthening of intrusive bureaucratic oversight and management arrangements ... academics are subject to increasing levels of control and face the prospect of disciplinary action or threats to advancement if they speak out in a manner perceived to be critical of government or institutional policies ...

... in a significant number of countries, participation in decision-making is progressively being eroded by ... the elimination of academics from governing bodies or major institutional committees ... real opportunities for cooperative dialogue and negotiation in relation to the evolution of management processes, ... proper institutional autonomy and accountability have been reduced.

Such developments have ... weakened the notion of academic freedom, [and] tended to undermine both staff participation in decision-making, as envisaged by the 1997 Recommendation, and the concept of freedom of association in the practical sense.

With the steady erosion of ... concepts of tenure and ... security of employment, and a trend towards negotiation of individual contracts of employment, the existence and practical ability of staff bodies to vibrantly represent the interests of academic staff has been weakened and the[ir] capacity ... to effectively engage in collective bargaining activities ... reduced.

... there is a pressing need to develop new approaches to ensure the Recommendation’s proper application in the present, rapidly changing environment.

## **Recommendations**

**UNESCO** [should]:

- (1) commission a comprehensive comparative study of the extent to which the standards expressed in ... the 1997 Recommendation are currently being observed;
- (2) **in cooperation with the ILO**, take steps to better promulgate the contents of the 1997 Recommendation to governments, university governing bodies and staff organizations involved in higher education, as well as to regional bodies ...

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## Introduction

1. The Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) held its Ninth Session in Geneva at the International Labour Office (ILO) headquarters, from 30 October to 3 November 2006.
2. In accordance with the Joint Committee's mandate, the session focused on the monitoring and promotion by CEART of both the Recommendation concerning the Status of Teachers, 1966 (hereafter, the 1966 Recommendation), and the Recommendation concerning the Status of Higher Education Teaching Personnel, 1997 (hereafter, the 1997 Recommendation).
3. The agenda of the Joint Committee covered the following items related to the two Recommendations:
  - (a) Election of Officers and adoption of the agenda
  - (b) Monitoring of the application of the 1966 Recommendation
    - (i) teacher education: pre-service and continual
    - (ii) employment and career of teachers
    - (iii) teachers' salaries
    - (iv) teaching and learning conditions
    - (v) social dialogue in education: information sharing, consultation and negotiation
    - (vi) other provisions of the 1966 Recommendation
  - (c) Monitoring of the application of the 1997 Recommendation
    - (i) academic freedom in higher education
    - (ii) employment structures and tenure
    - (iii) freedom of association and staff participation in decision-making
  - (d) Consideration of allegations received from teachers' organizations
    - (i) allegations received since the Eighth Session
    - (ii) allegations considered at the Eighth Session
  - (e) Progress made in promotion and use of the 1966 and 1997 Recommendations
    - (i) review of reports and other sources of information in accordance with the mandate of the Joint Committee
    - (ii) review of ILO and UNESCO joint or separate activities to promote the two Recommendations
    - (iii) methodology and procedures of the Joint Committee

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(f) Agenda for the Tenth Session

(g) Other questions

4. The present members of the Joint Committee designated by the Governing Body of the ILO and the Director-General of UNESCO, are as follows:

*Members appointed by the Governing Body of the ILO:*

**Dr (Ms) Eddah W. Gachukia (Kenya)**, Academic Director, the Riara Group of Schools.

**Dr (Ms) Maria Antonia Gallart (Argentina)**, Principal Researcher, Centre of Population Studies, Latin American Faculty of Sciences (FLACSO).<sup>1</sup>

**Ms Lilia S. Garcia (Philippines)**, Professor of Educational Management, Philippines Normal University.

**Dr (Ms) Anne-Lise Høstmark Tarrou (Norway)**, Professor in Education and Director of the Centre for Research on Education and Work, Akershus University College.

**The Hon. Justice L. Trevor Olsson (Australia)**, Auxiliary Puisne Judge, Supreme Court of South Australia, and former President of the Industrial Court and Commission of South Australia.

**Dr Mark Thompson (Canada)**, Emeritus Professor of Industrial Relations and former William M. Hamilton Professor of Industrial Relations, Sauder School of Business, University of British Columbia.

*Members appointed by the Director-General of UNESCO:*

**Prof. (Ms) Marie Eliou (Greece)**, Emeritus Professor of Educational Science, University of Athens; former President, National Pedagogical Institute of Greece; and former Adviser to the Minister of Education.

**Prof. (Ms) Konai Helu-Thaman (Fiji)**, Professor of Pacific Education and Culture and UNESCO Chair in Teacher Education, University of the South Pacific.

**Prof. (Ms) Nada Moghaizel-Nasr (Lebanon)**, Dean of the Faculty of Educational Science, University of Saint Joseph of Beirut, and member, Lebanon Institute of Educators.

**Prof. Earle H. Newton (Barbados)**, Emeritus Professor and former Director, Education Evaluation Centre, University of the West Indies, Cave Hill.<sup>1</sup>

**Dr Gennady Ryabov (Russian Federation)**, President, Nizhny Novgorod Linguistic University, and member, Association of Teacher Training Institutions of the Russian Federation.

**Prof. Toussaint Tchitchi (Benin)**, University of Abomey-Calavi, and former Director, National Institute for Research in Education (INFRE).

<sup>1</sup> Did not participate in the Ninth Session.

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5. The Joint Committee designated the following Officers:

*Chairperson:* Dr (Ms) Anne-Lise Høstmark Tarrou

*Vice-Chairpersons:* Prof. Earle H. Newton <sup>2</sup>

Prof. (Ms) Nada Moghaizel-Nasr

*Reporters:* Prof. (Ms) Konai Helu-Thaman

The Hon. Justice L. Trevor Olsson

Dr Mark Thompson

6. The secretariat of the meeting was composed of the following ILO and UNESCO officials:

*ILO:* Ms Johanna Walgrave, Officer-in-Charge, Social Dialogue Sector; Ms Elizabeth Tinoco, Chief, Sectoral Activities Branch (SECTOR); Mr Bill Ratteree, Education Sector Specialist, SECTOR; Ms Victoria Hincha-Majuva, Administrative Assistant, SECTOR; Ms Anamaria Vere, ILO Consultant; Mr Martin Hahn, Sectoral Specialist, SECTOR; Ms Christiane Wiskow, Sectoral Specialist, SECTOR; Ms Amrita Sietaram, Bureau for Workers' Activities (ACTRAV); Ms Angelika Muller, Labour Law Officer, Social Dialogue Branch (DIALOGUE); Mr Raphael Crowe, Programming and Relations Coordinator, Bureau for Gender Equality (GENDER); Ms Susan Maybud, Senior Coordinator, GENDER; Ms Margherita Licata, ILO Programme on HIV/AIDS and the World of Work; and Mr Guido Raimondi, Office of the Legal Adviser (JUR).

*UNESCO:* Mr Georges Haddad, Director, Division of Higher Education; Ms Caroline Pontefract, Chief, Section for Teacher Education (ED/HED/TED); Mr Lucio Sia, Programme Specialist, ED/HED/TED; Ms Ramya Vivekanandan, Assistant Programme Specialist, ED/HED/TED; and Ms Corina Parlea, Assistant to the Chief of Teacher Education Section, ED/HED/TED.

7. On behalf of the Director-General of the ILO, Ms Johanna Walgrave welcomed the Director of the Division of Higher Education of UNESCO, Mr Haddad, and his colleagues, as well as the members of the Joint Committee, including the newest member, Mr Tchitchi. On behalf of the Director-General of the ILO, Mr Juan Somavia, she wished the members a productive meeting. The CEART members were to be commended for their involvement in efforts to promote the Recommendations' provisions and their application since 2003, especially the participation of the Chairperson, Ms Høstmark Tarrou, in the events to celebrate the 40th anniversary of the 1966 Recommendation held in Brussels on 5 October 2006. The Joint Committee was now 38 years old, reflecting the continuing relevance of the 1966 Recommendation and the expectations that the ILO and UNESCO would mutually promote and help implement this standard in a spirit of consultation and close cooperation. The ILO was grateful for more than 50 years of close cooperation with UNESCO on the status of teachers. CEART's unique status reflected the importance of the subject matter at the heart of this work – without qualified and quality teachers, it was unrealistic to expect quality education. The Joint Committee has emphasized that principle in its reports for many years. The Joint Committee's concerns expressed in 1968 over teacher shortages have now become generalized throughout the world, requiring the attention and resources of institutions such as UNESCO, the ILO, OECD and Commonwealth Secretariat. The international challenges faced in education increasingly demanded the right policies to upgrade the professional, material and social status of teachers in a globalized, information-dominated world. The ILO's efforts were designed to

<sup>2</sup> Did not participate in the Ninth Session.

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meet its major strategic challenge of ensuring decent work for all workers within the process of globalization, especially the problems facing millions of youth seeking quality education and decent work. These challenges were those of the Joint Committee which continued to innovate in its methodology for greater reference. Its two main tasks – to monitor the application of the two Recommendations, and to promote their use – were as meaningful, and in some ways more so, as they were nearly 40 years ago. The ILO has supported CEART’s work directly and through action programmes on teacher shortages and on HIV/AIDS in education sector workplaces organized since 2004. Both programmes worked to enhance the climate and strengthen the institutions for social dialogue in education between educational authorities and teachers’ organizations, what CEART called “the glue of education reform” in 2003. CEART’s analysis of the social dialogue theme, including higher education, at this session would help the ILO and UNESCO in their own reflections and further work. The outcomes of this session should continue to justify the high expectations in the Joint Committee’s work by the ILO, UNESCO, and constituents in member States.

8. Mr Georges Haddad welcomed the members of the Joint Committee on behalf of the Director-General of UNESCO and the Assistant Director-General for Education of UNESCO. He stressed that the concerns surrounding an improved status of teachers were even more pressing today than they were at the creation of the Committee nearly 40 years ago. Recent reports confirmed the need for an additional 18 million teachers to meet the Education for All (EFA) goal of universal primary education by 2015. He emphasized that compliance with the 1966 and 1997 Recommendations concerning teaching personnel was crucial in meeting the challenge of teacher shortages and highlighted the importance of the need to improve the status and the working and living conditions of teachers in order to enhance their position in society. In addition, Mr Haddad stressed the crucial role of teachers, particularly at the higher education level, in the generation of new knowledge through research and academic discourse. He also emphasized the importance of technical and vocational education and its role in preparing young people for full participation in, and contribution to, societal progress. Mr Haddad concluded by expressing his appreciation of the work of the Committee, stating how it would inform the ILO, UNESCO and other organizations as they aimed to support the application of the two Recommendations in the member States.
9. The Chairperson of the Joint Committee, Ms Høstmark Tarrou, also welcomed the members, especially CEART’s newest one. The Joint Committee faced many challenges and a heavy workload. Teaching continued to grow in importance, while the explosion in information and communications technologies (ICTs) increasingly impacted on teaching and learning. As CEART had continually emphasized, the goal of teacher professionalism required high initial and continuing education. She welcomed the renewed emphasis on the status of technical and vocational education teachers by the UNESCO Director of the Division of Higher Education. Social dialogue constituted another crucial subject for consideration – nothing could be accomplished to meet the challenges of education without effective social dialogue. She looked forward to active discussions of these and other issues based on the well-prepared materials before the Joint Committee.

## **Methodology of the Joint Committee**

10. The Joint Committee considered a range of studies and reports relating to major themes relevant to the two Recommendations in accordance with its mandate to examine:
  - (a) reports from governments on the application of the 1966 and 1997 Recommendations;
  - (b) studies and reports of the ILO and UNESCO on specific items of the 1966 and 1997 Recommendations; and



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- (c) reports by national organizations representing teachers and employers, and by intergovernmental and international non-governmental organizations.

11. At its Eighth Session (2003), the Joint Committee established a working group methodology to carry out its tasks. It continued this methodology at the Ninth Session as follows:

- (a) constitution of a limited number of working groups in advance of the session to develop draft texts on various key themes;
- (b) distribution of relevant background material to CEART members in advance of the session for the above purposes;
- (c) focus of the working groups on the main recurring themes arising from the two Recommendations, namely, teacher education, employment, careers and salaries, teaching and learning conditions, social dialogue, academic freedom, tenure, freedom of association and staff participation in decision-making, and cross-cutting issues such as EFA, gender and HIV and AIDS;
- (d) secretariat assistance to the working groups by preparing or assembling relevant background documentation, developing key questions to help focus discussion and proposal of a common format for working group reports.

12. To improve its analysis of major themes related to the 1966 and 1997 Recommendations, the Joint Committee created the following working groups for the purposes of the Ninth Session:

*1966 Recommendation themes:*

- **Social dialogue:** Ms Eliou; Ms Høstmark Tarrou; Ms Moghaizel-Nasr; Mr Thompson (Coordinator).
- **Teacher education:** Ms Eliou (Coordinator); Ms Helu-Thaman; Ms Moghaizel-Nasr (Coordinator); Mr Ryabov.
- **Employment and careers:** Ms Garcia; Mr Olsson (Coordinator); Mr Ryabov.
- **Teaching and learning conditions, ICT and lifelong learning:** Ms Gachukia; Ms Høstmark Tarrou (Coordinator); Mr Thompson.
- **Teacher salaries:** Ms Garcia (Coordinator); Mr Olsson (Coordinator); Mr Tchitchi.
- **Transversal issues – EFA, HIV and AIDS, Gender:** Ms Gachukia (Coordinator); Ms Helu-Thaman; Mr Tchitchi.

*1997 Recommendation themes:*

- **Academic freedom and related questions:** Ms Eliou; Ms Helu-Thaman (Coordinator); Ms Moghaizel-Nasr; Mr Ryabov (Coordinator).
- **Employment and tenure:** Ms Garcia; Ms Høstmark Tarrou (Coordinator); Mr Thompson.
- **Freedom of association and human rights/staff participation in decision-making:** Ms Gachukia; Mr Olsson (Coordinator); Mr Tchitchi.

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In addition, the permanent Working Party on Allegations also examined information on allegations from teachers' organizations related to non-observance of provisions contained in the 1966 and 1997 Recommendations. On the basis of the proposals of the working groups and the Working Party, the Joint Committee completed its report in plenary sittings.

## I. Monitoring the application of the 1966 and 1997 Recommendations: Thematic considerations

### A. Major trends: The perspectives of international organizations

13. Following the precedent set at its previous sessions, the Joint Committee invited representatives of international teachers' organizations – Education International (EI)<sup>3</sup> and the World Federation of Teachers' Unions (WFTU),<sup>3</sup> the International Organisation of Employers (IOE),<sup>3</sup> the Organization for Economic Co-operation and Development (OECD),<sup>3</sup> the Commonwealth Secretariat,<sup>3</sup> the United Nations Special Rapporteur on the right to education and the Global Campaign for Education (GCE)<sup>4</sup> to attend one of its sittings for an informal exchange of information and views on issues arising from the two Recommendations. Organizations presented their own positions on these matters, but a number of common themes emerged.

14. Representatives of the organizations and the Joint Committee discussed the following points:

- (a) **Teacher mobility and migration.** The decline in teachers' status in many developed countries had caused departures from the profession and teacher shortages. Consequently, a growing trend towards recruitment of teachers from English-speaking developing countries to meet these needs in developed countries had emerged. The resulting loss of skilled teachers from source countries had serious consequences for educational quality in these countries. The migrating teachers might suffer discriminatory employment practices, although migration could also be beneficial for individual development. Regions and countries diverged in these trends: turnover rates varied, but Asia and the Pacific and Africa experienced a greater shortage of teachers, whereas the Caribbean was stable or had an over-supply. There was also a gender dimension to teacher shortages, with male teachers becoming more scarce in almost all countries at both primary and secondary levels.
- (b) **HIV and AIDS.** The pandemic's spread severely affected the teaching force and education of many countries and required urgent action to deal with stigma and discrimination.
- (c) **Violence in schools.** Growing physical and psychological violence against teachers called for new measures to deal with this phenomenon.
- (d) **Information and communications technologies (ICT).** The spread of ICT challenged teachers' "monopoly" of knowledge and learning processes to the point

<sup>3</sup> Participated in the information sitting.

<sup>4</sup> Represented by Education International.

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that professional development and access to adequate ICT infrastructure without cutting other school resources had become a critical factor in classroom conditions.

- (e) **Privatization and decentralization.** Lack of government resources and the resulting privatization and decentralization of educational provision led to competition for scarce resources, short-term, precarious contracts for teachers, accelerated departures from the profession and the division of education between elite and poorer quality education for the majority of citizens.
  - (f) **Academic freedom and collegiality in higher education.** Violations of academic freedom based on security or private commercial concerns were growing in parallel with the decline in collegial self-governance and participation of staff in institutional decision-making processes. Globalization (transnational provision) of higher education services, often not subject to proper standards and regulation, promoted these trends. Viewpoints diverged, however, on the positive and negative impact of managerial and leadership styles in universities' self-governance, academic freedom and quality standards.
  - (g) **Employment status and roles.** The relative and absolute decline of the status of the teaching profession has had serious effects. Quantitative and qualitative teacher shortages in a wide variety of countries, even the richer ones, continued. At the same time the diversity of educational challenges was growing. These changes called for new policies to value teachers and their profession, such as: more flexible working arrangements; a focus on the proper material but especially professional incentives for teachers, rather than reliance on regulations; greater emphasis on quality rather than quantity in teacher recruitment; a commitment to teacher evaluation linked to continual professional development; and career development and teamwork, but not merit pay.
15. Representatives of the organizations attending the session also exchanged views on ways to improve knowledge and use of the Recommendations. These included: greater attention by CEART to the impact of low retention, high mobility and recruitment of teachers on education quality and the achievement of the education Millennium Development Goals (MDGs); more synergies between the 1966 Recommendation and the application of the Commonwealth Teachers' Recruitment Protocol as an instrument to deal with teacher mobility and migration; more cooperation in promotional activities with teachers' organizations, other unions and global non-governmental alliances to promote teachers' status and use of the Recommendations.

## **B. The status of teachers: Trends in the application of the 1966 Recommendation**

### ***Social dialogue in education***

16. Social dialogue is understood to mean all forms of information sharing, consultation and negotiation between educational authorities, public and private, and teachers and their democratically elected representatives in teachers' organizations. These forms of dialogue variously apply to the major issues concerning the teaching profession: educational objectives and policies; preparation for the profession and further education for teachers; employment, careers and salaries of teachers; rights and responsibilities; and conditions for effective teaching and learning.

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17. The social dialogue process is a major component of the ILO's Decent Work Agenda, as confirmed in the 2002 resolution concerning tripartism and social dialogue. It also forms an integral part of UNESCO's programmes to promote Education for All.
  18. The basic prerequisites for dialogue are a democratic culture, respect for rules and laws, and institutions or mechanisms that permit individuals to express their views individually or collectively through unions or associations on issues that affect their daily lives on both a personal and professional basis. Translated to education, this implies respect for professional freedom and the active participation of individual teachers in deciding a range of professional issues – curricula, pedagogy, student assessment and issues relating to the organization of education.

## Trends

19. Teachers participate in educational decisions in a variety of ways, from informal communications with school heads on a daily basis to participation in school councils or governing bodies. Meaningful participation in social dialogue is, however, difficult to establish and maintain and participation is more problematic when teachers work in isolation.
20. Qualitative research carried out by the Voluntary Service Overseas (VSO), an international non-governmental organization (NGO), identified the sense of undervaluing, disempowerment and alienation that the average classroom teacher feels in many developing countries. The resulting reports, based on first-hand views from teachers in Malawi, Papua New Guinea and Zambia, provided examples that teachers, including head teachers, do not feel that they have a voice in education decision-making beyond their immediate teaching or school environment. There is a strong sense of distance from regional and national-level decisions that are eventually communicated to teachers as immutable decisions, often divorced from their daily situation.
21. Even where efforts are made with regard to education policy, they often remain in the realm of mere information sharing. For example, assessments in the Pacific suggest that community forums organized as a means of consultation serve only to inform and convince people about government policies and, accessorially, to help authorities to know of local problems. Such forums should be broadened to permit more effective forms of social dialogue.
22. The political context of social dialogue is important. Teacher unions and education officials often view education reform in an ideological framework. Frequently reforms are then introduced in an adversarial context and change thus becomes the object of controversy. Educational authorities and teacher unions should instead try to jointly analyse problems and find solutions. Participatory processes and consultations are not a panacea to resolve these difficulties, but they are virtually the only mechanisms for overcoming suspicion and establishing a positive climate for making and implementing education policy.
23. The Joint Committee reviewed the current state of social dialogue in education, starting with ratification rates of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154). The number of ratifications of the fundamental ILO Conventions Nos. 87 and 98 was high, while many member States had not yet ratified Conventions Nos. 151 and 154. Unfortunately, this situation has not changed substantially in recent years. CEART noted that the ILO continued to promote both ratification of the Conventions and their effective implementation.

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24. The Joint Committee noted that the climate for social dialogue continued to vary greatly across and within regions. While substantial improvements are still necessary in a few regions, positive examples of growing and strengthened social dialogue can be observed in most regions. Improvements in implementing the four Conventions were observed in countries such as Estonia, Indonesia, Mauritius, Namibia and Nicaragua. They provide positive examples of the possibilities of successful application of the principles of the Conventions in countries at different stages of development.

## Recommendations

25. The Joint Committee recognized that successful social dialogue in education should be a positive force, but is subject to multiple influences – political, social, economic and institutional – necessary for its success. It noted that the establishment of social dialogue frequently required years of preparation and might involve failures before becoming institutionalized. It further concluded that social dialogue can contribute to the quality of education, good governance practices in education, appropriate terms and conditions of employment, including conditions for effective teaching and learning, and the professionalization of teaching. The Joint Committee, therefore, recommended that:

- (1) **member States** establish social dialogue, as defined above, as an integral part of education planning and policy formulation;
- (2) **teacher organizations**, with the support of UNESCO and in cooperation with ILO, be encouraged and assisted in developing comprehensive positions on educational policy with a proactive approach toward improving the quality of education;
- (3) **education unions**, with the support of the ILO, make capacity building of member organizations a priority to enable their participation in social dialogue in all of its forms;
- (4) **international agencies**, including the World Bank, regional bodies and donor countries create an expectation that the principles of social dialogue be observed in any reform of education and, where appropriate, provide funding to support these activities; and
- (5) **the ILO and UNESCO** collect data on best practices on social dialogue in education with the goal of providing support for this process on a regional basis.

## ***Teacher education – Initial and continuing***

26. The impact of teacher quality and motivation on student achievement; the continuing demand for more effective teachers in order to allow member States to meet obligations to global education initiatives (such as EFA, Millennium Development Goals and the United Nations Decade of Education for Sustainable Development); new and emerging teacher role expectations associated with increasingly complex, knowledge societies: all these factors reflect the fundamental priority that must be given to teacher education. As society becomes more complex, so will the demands on schools and teachers. Those responsible for the education of teachers need to ensure that the professional development and training of teachers at all levels responds to these challenges.

## Trends

27. Based on reports and studies made available to it and information from representatives of teacher organizations, the Joint Committee wished to highlight some issues and concerns in relation to teacher education, many of which have been raised before.

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- 28.** The absence of coherent policies on teachers, including in relation to their professional training and development is a continuing concern. In most countries, policies on teacher education are fragmented, with no links between pre-service and in-service training. Furthermore, there may be insufficient standardization of teacher education qualifications in many countries, and teacher education requirements, including those for technical and vocational education, are often not reflected in educational planning and budgeting.
  - 29.** Teacher recruitment remains high on the list of challenges relating to teacher education. There is continuing concern about the attractiveness of teaching as a career, making recruitment a major issue. In some developing countries this has led to a lowering of entry standards, while in others unqualified persons and/or school leavers with no training whatsoever are employed. In developing countries the huge demand for more teachers often means training a large number of teachers only to a very basic level of quality, at all stages of the education system, including technical and vocational teachers.
  - 30.** The Joint Committee noted with concern reports about the diversity in the duration of teacher training (from up to five years in some countries to no training at all in others), the increasing number of students entering teacher training with low academic qualifications, and the inability of existing teacher education providers to take on the required numbers of new trainees to fill teacher shortages, leading to the employment of untrained teachers.
  - 31.** All countries reported concerns about the need for teachers to have the appropriate knowledge and skills to meet the new needs of school and society, most particularly as a result of increasing globalization and the use of information and communication technologies. Many countries continue to lack systematic induction programmes for beginning teachers or to make adequate provision for the professional development of teacher educators.
  - 32.** The Joint Committee considered that the content of many teacher training programmes did not focus adequately on reflective practice, active learning, innovation, creativity or partnership building. The Joint Committee suggested that this might be due to a lack of clarity as to what was meant by quality education, and as a result of teacher trainers having no school experience.
  - 33.** The Joint Committee was aware from reports and from the experiences of its members, of an absence of pedagogical training for higher education personnel, including those who train teachers.
  - 34.** The Joint Committee noted that where initial training was in place there was often a disjuncture between the training provided and the realities of the schools, their communities, and the world of work. There was also an increasing use of, and demand for, distance and flexible learning, school-based programmes and ICTs for teacher training in both developed and developing countries. The Joint Committee was concerned that new modalities were adopted without sufficient analysis of needs, and without appropriate planning and budgeting.
  - 35.** The Joint Committee was further concerned that there was insufficient evaluation of teacher training programmes in relation to their impact on the teaching practice and on students' learning outcomes.
  - 36.** The Joint Committee welcomed the UNESCO recognition of these constraints in the conception of the Teacher Training Initiative for sub-Saharan Africa (TTISSA), aimed at alleviating teacher shortages, improving teacher status and working towards quality education.

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## Recommendations

**37.** Based on the above, the Joint Committee recommended that **UNESCO and the ILO**:

- (1) **encourage member States and teacher education providers** to refer to the Recommendations for guiding principles and minimum standards for planning, implementing and assessing teacher education programmes and for defining their own national or regional norms and standards of quality;
- (2) **assist member States** to develop and implement teacher policies which reflect the importance of, and the requirements for, initial teacher training and, furthermore, to consider how to attract trainees with skills and attitudes most appropriate for the teaching profession;
- (3) **support member States** in reviewing teacher education curriculum, in order to ensure that it supports the development of reflective, innovative and creative teachers, able to respond to changing school needs and ready and willing to work in changing environments;
- (4) **advocate for, and support member States** in, the provision of pedagogic training for all higher education teaching personnel, especially teacher educators and technical vocational trainers, in order to support reflective, innovative and responsive practice;
- (5) **encourage member States** to develop professional competency frameworks and accredit initial teacher programmes on the basis of international and regional accreditation standards;
- (6) **support the development of teacher community networks** to facilitate dialogue and support ongoing professional development;
- (7) **assist member States** in the analysis of future teacher supply needs and the ability to respond to these needs by appropriate teacher training modalities, e.g. open and distance education and the use of ICTs;
- (8) **commission studies** into links between different modalities of teacher training and their impact on classroom practice and children's learning outcomes.

## ***Employment and careers***

**38.** In its 1997 report the Joint Committee emphasized the fundamental truism that meeting the needs of education is of crucial importance, for the quality of its output has enormous long-term implications for the growth and well-being of every country. It made the point that attracting the best qualified persons and retaining them in the teaching profession is a basic step in promoting good quality education. It followed that the recruitment and retention of quality teachers is an issue, the critical priority of which cannot be stressed too much. As was reiterated in the OECD publication, *Teachers Matter: Attracting, Developing and Retaining Effective Teachers* (2005), teacher quality is the single most important school variable influencing student achievement.

**39.** In the 1997 report the Joint Committee proposed a broad strategy aimed at attaining the goal of attracting and retaining effective teachers. It asserted that, in addition to adequate salary scales, working conditions conducive to good teaching and attractive career prospects, a matter of the highest priority was the need to enhance the professionalism of teaching. Important elements of such professionalism, which closely follow provisions of the 1966 Recommendation, had been reaffirmed in the 1996 International Conference on Education convened by UNESCO and, as reported in the Joint Committee's 2000 report,

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by the ILO's Joint Meeting on Lifelong Learning in the Twenty-first Century held earlier in 2000.

- 40.** In subsequent reports the Joint Committee reflected on what progress had been made in attracting a sufficient number of able and motivated young people to the teaching profession, retaining them in the profession, and ensuring their professional development and motivation in the interests of quality learning. In its 2003 report the Joint Committee reviewed the key developments that had occurred in the preceding three years, noting a “well-documented declining status of teachers worldwide and the growing flight from the profession” three years after the Dakar Conference on Education for All. A similar overview is presented below for the period 2003–06, which again highlights the Joint Committee's concerns over the continued shortage of qualified teachers sufficient to meet the challenges of education in both developed and developing countries.

## Trends

- 41.** The Joint Committee has, on this occasion, had the benefit of the data provided by a series of reports and a synthesis document on trends in the profile of the teaching profession, employment, careers, teacher salaries and teaching and learning conditions.

- 42.** That material reveals the following trends:

- (1) Whilst situations vary somewhat from region to region, teacher shortages remain a major issue in education. In certain of the most acute cases there is an existing shortfall of approximately 30 per cent of qualified teachers in primary and secondary schools, with even greater shortages in remote and high risk areas. Generally speaking, an increasing number of teachers are retiring and a growing percentage is leaving the profession, whilst the supply of qualified teachers does not appear to be increasing. The statistical data before the Joint Committee indicates that, having regard to demographic trends across all regions, almost 80 countries will need to enlarge teacher workforces significantly if EFA goals are to be met in the next decade. The situation will be most acute in sub-Saharan Africa, the Arab States and South and West Asia.
- (2) Moreover, there are widespread concerns about the public image of teachers and status of teaching. Teachers often feel that their work is undervalued and research confirms that relative salaries of teachers are declining in most countries. In a number of countries there is a high attrition rate, especially where teachers experience high workloads, violence, stress and poor working environments. The OECD, amongst other organizations, has concluded that, generally speaking, teaching is a profession in long-term decline.
- (3) Information provided to the Joint Committee indicates that many governments in developing countries have responded to shortages of teachers by adopting short-term, finance-driven measures relying heavily on increasing class sizes or engaging unqualified or poorly qualified teachers on a short-term contractual basis. The recruitment of such unqualified personnel as teachers, initially adopted as a temporary or emergency measure, has now become a more persistent and widespread practice.
- (4) Even in the more developed countries there has been an increasing trend towards the recruitment of qualified teachers on a short-term contract basis, at least in relation to initial appointments, and also to the recruitment of partly qualified teachers.
- (5) These trends have often been accompanied by steps designed to decentralize the management and financing of education and reduce teacher costs. In many instances,



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the salaries and conditions of contract teachers are significantly inferior to those of permanent, public service qualified teachers.

- (6) Whilst such approaches have, in some instances, actually been encouraged by agencies such as the World Bank, their long-term efficacy is highly questionable. The implementation of such strategies has necessarily carried with it an adverse trade off in terms of quality of education and the morale, status and conditions of the teaching profession generally.
- (7) Although there may have been some apparent progress towards Education for All (EFA), the overall quality of education delivered often remains unsatisfactory and there is little evidence that effective strategies are in place to adequately support and upgrade the qualifications of persons employed as contract teachers to a desirable standard by appropriate in-service training programmes. If these aspects are not addressed, they will necessarily result in a second-class education system for the children affected.
- (8) The Joint Committee agrees with the thesis of a research paper produced for its consideration in which it is argued that the type of approach described above is a strategy based on a false economy and that there are really no short cuts to quality in education.
- (9) There is therefore, an urgent need to develop and implement policies that aim within stipulated time lines to provide for continued professional development of contract or unqualified teachers and to integrate all teachers into a single, regular teaching force after attainment of requisite professional qualifications, as contemplated by the 1966 Recommendation.
- (10) The problem of shortages of suitably qualified staff is by no means confined to the primary and secondary education sectors. At a time when student enrolments are dramatically increasing in many countries in the higher education sector, there has been a steady deterioration in academic staff salaries, conditions and career patterns, associated with the growth of casualization and what has been termed the de-professionalization of staff.
- (11) This, in turn, has been linked to competition for research funds and outcomes that have become an important factor determining continued employment in various institutions.
- (12) Moreover, increasing globalization effects have led to an unprecedented level of migration of both schoolteachers and higher education personnel across a wide range of countries. This has caused a considerable “brain drain” effect in many developing and transitional countries. In such countries there are difficulties in recruiting suitable staff at a time when staff losses have been increasing.

## Findings

- 43.** The Joint Committee pointed out that if long-term strategies were not developed by the countries concerned to address the above problems, the long-term effects would be dire indeed.
- 44.** Generally speaking, a two-pronged approach will be necessary.
- 45.** First, present short-term, stop-gap or palliative strategies will need to be replaced by policies and long-term plans for pre-service and in-service training programmes designed to produce adequately qualified teachers in the first instance and to elevate existing teacher

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qualifications to an acceptable standard. This implies a phasing out of the strategy of short-term contract arrangements as a matter of urgency.

46. Second, a steady improvement of both the living standards and the working conditions of teachers will be essential, both to render teaching careers attractive to young persons and also to retain qualified teachers already in teaching services.
47. The Joint Committee agrees with the submissions made to it that the information currently available does not support a conclusion that governments facing teacher shortages have adequately recognized the obvious linkage between poor teacher remuneration and working conditions and teacher shortage and retention problems.
48. Certain of these aspects are addressed in greater detail in relation to other themes of this report.

## Recommendations

49. The Joint Committee strongly recommends that **member States of the ILO and UNESCO** re-examine their funding and contractual policies in relation to the recruitment of teachers in light of the points expressed above, and examine and implement means by which long-term initial training, professional development and support policies and material benefits can be upgraded where appropriate. The aim should be to establish unified teaching services of desirable and consistent quality that occupy a relative status within the overall public employment sector which properly reflect the nature of the professional task performed.
50. The Joint Committee recommends that the **ILO and UNESCO** undertake ongoing studies designed to identify and assess the efficacy of teacher recruitment and employment practices and their practical effects on the quality of education.

## ***Teaching and learning conditions; ICT***

51. The supply and demand for teachers worldwide varies considerably. Strong trends exist in different regions. Issues of teacher quality and qualifications persist in many countries. The status of teachers continues to be a problem.

## Trends

52. The growth in the number of teachers worldwide began to fall early in the twenty-first century for the first time in many years. Declining birth rates in a number of large countries caused the number of primary teachers to decline after 2000, although secondary teacher employment continued to rise. Countries with low birth rates face declines in school populations and the number of teachers in the proximate future. Conversely, pressures to recruit more teachers are high in many African and Middle Eastern countries.
53. Teacher qualifications vary greatly. The minimum standard in the 1966 Recommendation – completion of secondary education for teachers – is the floor in almost all countries, but a number of States in Africa and the Caribbean still have not reached this standard. Higher qualification standards are most likely met in middle- and high-income countries. Female teachers tend to have lower qualifications.
54. In OECD countries, a growing proportion of teachers are nearing the end of their careers. Between 25 and 40 per cent of teachers in those countries are over 50 years of age. The opposite condition prevails in many developing countries, where less than 20 per cent of the teachers are over 50.

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55. The feminization of the profession continues, as the proportion of teachers who are women has risen in most regions, with the notable exception of sub-Saharan Africa.
  56. Overall, qualified teachers are in short supply in many countries. Over half of the OECD countries that participated in a survey, reported concerns about the supply of teachers, especially in rural areas and in a few technical fields where private sector employment opportunities are abundant.
  57. A good measure of the quality of education is the level of teachers' preparation at pre-primary, primary, secondary and higher education. Teacher qualification is a good predictor of primary school completion and school quality in general.
  58. The record on teacher preparation to professional standards is mixed. The proportion of primary teachers who lack necessary qualifications is high in many countries. Several African countries have a large proportion of teachers with no training, although there are examples of countries in the region which have made substantial progress in this area. The lack of qualified primary teachers creates problems in meeting the goals of EFA.
  59. Lack of formal and appropriate professional preparation, especially with regard to occupational training for teachers in technical and vocational education, restricts career advancement as well as undermines their working conditions.
  60. Pupil-teacher ratios have declined in most of the world, except sub-Saharan Africa and parts of Asia, where high population growth has increased enrolments faster than the supply of teachers. Class sizes are a good predictor of achievement and completion of primary school. Large class sizes continue to impede the achievement of EFA goals. Structural adjustment policies still force governments to increase class sizes.
  61. Lack of teaching/learning materials has negative consequences for teachers' workload and students' outcomes. Even the most skilled teachers require essential support in the form of textbooks and other appropriate teaching aids.

## Findings

62. The Joint Committee noted that many of the trends reported at its Ninth Session had also been prominent in its discussions at the Eighth Session in 2003. Progress has been made in assuring that an adequate number of qualified teachers are available for all children in all regions, but some education systems are failing to keep up with the demands being made on them. This has negative effects on teaching and learning conditions.
63. New data available for the Ninth Session clearly showed the importance of teacher qualifications to student success, and the Joint Committee noted with alarm that this problem still was not addressed in many countries.
64. The Joint Committee noted that changes in educational policies, such as the abolition of school fees, could cause rapid increases in student numbers. In the short run, such increases resulted in large class sizes. Based on the evidence before it, the Joint Committee strongly affirmed the principle that overly large class sizes should be a time-bound solution.
65. Countries where teachers do not meet national standards for teacher qualifications experience poor results from their education system. Citizens who leave schools where teachers lack proper professional preparation are poorly suited for the labour force and civic participation.

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66. Although the number of teachers is not growing in all regions, teacher shortages persist in many countries in all regions. Continued investment in the preparation of teachers is necessary.
67. The Joint Committee recalled the emphasis in its 2003 report on considering all aspects of the use of ICT and its consequences for teaching and learning conditions. The Joint Committee did not have additional research-based information supporting recommendations on the use of ICT in education at its 2006 session. Teachers have expressed the desire to have more access to modern communication technology, but policies to achieve this objective without depriving other elements of the education system of necessary resources are still elusive.
68. The Joint Committee noted evidence that violence in schools had become a significant impediment to quality education. The Joint Committee recalled that the 1966 Recommendation insists on a safe teaching and learning environment.

## Recommendations

69. In light of these challenges, the Joint Committee recommended that:
- (1) **governments** place a high priority on teacher preparation programmes to ensure that all pupils benefit from the instruction of qualified teachers, and in effective teaching and learning conditions, at all levels of schooling;
  - (2) **the ILO and UNESCO** prepare a synthetic study of policies and incentives that can alleviate shortages of qualified teachers in remote areas and difficult-to-staff subjects;
  - (3) **UNESCO and the ILO** promulgate examples of good practices for the provision of adequate teacher preparation programmes in countries that still lack an adequate supply of qualified teachers at all levels of education.

## *Teacher salaries*

70. Article 115 of the 1966 Recommendation, and Article 57 of the 1997 Recommendation, specifically recognize the critical importance of adequate salary levels in relation to the status of teachers and higher education teaching personnel. The Joint Committee has, on earlier occasions, emphasized that payment of salaries which adequately reflect the professional status of teaching by way of comparison with other professions, plainly affect decisions of individuals as to whether or not to enter and remain in the teaching profession. While expenditure on education is often subject to tight fiscal constraints, and notwithstanding that teachers' salaries and allowances already usually account for a substantial percentage of current public expenditure on education (an average of 64 per cent in OECD countries and often more than 90 per cent in many developing countries), the salaries of teachers are still insufficient to provide them with a reasonable standard of living in a substantial number of countries.

## Trends and findings

71. The data before the Joint Committee at the current session indicate that the salaries of primary and secondary teachers generally continue to compare unfavourably with those of other occupational groups. By way of example, a relatively recent survey of 13 professions in the 70 largest cities in the world indicated that the salaries paid to primary teachers were less competitive than those paid to all but a handful of other skilled occupational groupings. The situation is particularly acute in Central and Eastern Europe, Latin America and some African and South-East Asian countries, but it is by no means limited to those

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regions. It does not appear to be uncommon that skilled workers and technicians are better paid than teachers. There are, of course, some exceptions to that situation.

72. It has been argued by teacher organizations, with some force, that the relative social value of the teaching profession, as expressed by the public remuneration level for teachers, compared with other professions, is in long-term decline. Moreover, they claim that, in general, public teachers' salaries compare unfavourably with those in some private schools.
73. The Joint Committee considered that the data available justified those assertions, which were supported by recent empirical studies published by OECD and UNESCO. Looking at the ratio of salaries to GDP per capita for public lower secondary teachers with 15 or more years of experience, the OECD's *Education at a Glance* reports of 2001 and 2004 found that this ratio had declined in real terms from 1994 to 2002 in 14 out of 19 surveyed countries. UNESCO's *EFA Global Monitoring Report 2005* showed a similar trend in primary teachers' salaries as a ratio to GDP per capita in developing countries, noting that they have declined by half in such countries between 1975 and 2000.
74. To some extent, it seems that the ravages of inflation and deterioration in some countries in transition have been contributing factors in bringing about such situations. However, there is strong evidence to indicate that, in a significant number of countries, teacher salaries are simply not comparable with those paid in other skilled occupations of equivalent professional or even lower occupational level.
75. Where that situation exists, it is difficult either to attract or retain persons of the intellect and motivation that are essential to achieve the delivery of high-quality teaching services.
76. In some countries, schemes of merit or performance-related pay in the primary and secondary levels have been implemented or are under consideration in an attempt to retain high-performing teachers. In at least some instances, this has occurred without due regard to the provisions of Article 124 of the 1966 Recommendation, which specifically states that it is inappropriate to introduce a system of this type without prior consultation with, and acceptance by, the teachers' organizations involved.
77. It should be stressed that the recent work of OECD concerning primary and secondary teachers has led that organization to conclude that merit pay at an individual level is not justified in terms of attracting and retaining teachers. Concerns have often been expressed as to the negative effects of individual merit pay on teamwork and school administration by the ILO's Joint Meeting on Lifelong Learning in the Twenty-first Century, Geneva, 2000.
78. The situation in the higher education sector is no more satisfactory. The available data indicate that, in more recent times, academic salaries have tended to lose ground to other professional occupations, contrary to Article 58 of the 1997 Recommendation. This is at a time when there have been rising student enrolment rates and greater demands on academic staff.
79. In some developing countries, education authorities have adopted the strategy of employing assistant staff and para-professionals in the higher education sector at salaries lower than those of qualified academics. In addition, female academics are under-represented, especially at the highest levels. They thus tend to be denied access to higher level salaries.

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## Recommendations

**80.** In order to address the issues noted above, the Joint Committee recommended that **governments of member States:**

- (1) review teachers' salaries in relation to those paid to other professionals having comparable qualifications and levels of responsibility, and in relation to GDP per capita, and take steps, as appropriate, to ensure that salaries paid to teachers are reasonably comparable with those paid to other professionals;
- (2) should consider alternative sources of education financing and alternative allocations of existing education expenditure having regard to the outcome of the above analysis in countries where teachers' salaries are considerably lower than those of other occupational groups;
- (3) and their school authorities should not introduce systems of merit-based pay or reward, other than in accordance with Article 124 of the 1966 Recommendation;
- (4) should, as soon as possible, facilitate the obtaining by unqualified staff of professional qualifications so as to enable them both to teach at a desirable level and also progress in an academic career in cases where, as a matter of practical necessity, governments have employed assistant staff and para-professionals in the higher education sector.

## ***Education for All***

### Trends

**81.** Evidence from around the world suggests that approximately 18 million additional teachers will be needed to achieve the EFA goal of universal primary education by 2015. In relation to EFA, access to and quality of education remain the most pressing concerns, particularly in developing countries. In many countries, there is great diversity between different regions and among socio-economic groups, making precise predictions of demands for teachers difficult.

**82.** Some of the issues relating to quality and access to education include the following:

- (a) lack of adequate qualification and training among teachers;
- (b) migration of teachers from rural to urban areas and to other countries as well as teacher movements linked to privatization in teacher recruitment;
- (c) inadequate infrastructure, such as lack of buildings and space to manage increased enrolments;
- (d) high teacher–student ratios, especially in public schools, thus requiring better teacher deployment in order to service all areas of a country; and
- (e) increased tension between governments and private education providers and its consequent impact on teacher status and conditions of service, requiring governments to develop appropriate policies and guidelines.

### Recommendations

**83.** In line with its analysis, the Joint Committee makes the following recommendations:

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- (1) **governments** should include additional funding for teaching in educational reforms;
  - (2) **governments** should develop a national teacher policy that ensures adequate and appropriate deployment of teachers in all regions within countries;
  - (3) in order to supplement public resources for education, the **ILO and UNESCO** should encourage countries to develop effective and efficient public–private sector partnerships within a clearly defined regulatory framework;
  - (4) **the ILO and UNESCO** should encourage and support governments, where appropriate, to foster measures that maximize school efficiency;
  - (5) **the ILO and UNESCO** should support governments to find strategies to improve teacher quality and ensure an adequate supply of teachers; and
  - (6) **UNESCO and the ILO** should commission studies on teacher shortages and teacher–pupil ratios in public and private schools as well as in different geographic locations.

### ***HIV and AIDS and its impact on teaching***

#### Trends

- 84.** HIV and AIDS continues to have a significant impact on education systems, especially in sub-Saharan African countries, impeding the effective application of the principles contained in the 1966 and 1997 Recommendations. These principles include the need for: qualified teachers as a basis for advances in education; continuity in teachers' knowledge and skills; non-discrimination in the preparation and employment of teachers; and working conditions conducive to effective teaching and learning.
- 85.** An important impact on the education sector comes in the form of higher human resource costs related to redeployed sick teachers and HIV-related teacher absences, higher medical treatment costs for teaching staff, and training of new teachers to replace those who cannot work or who die.
- 86.** In particular, access to education and quality of teaching suffer in many rural areas deprived of qualified teachers. School directors and teachers are often not trained and/or supported to deal with the HIV and AIDS crisis within schools, including large numbers of HIV and AIDS orphans, further exacerbating failure and repetition rates that are indicators of decline in educational quality.
- 87.** In relation to gender issues, HIV and AIDS impact male and female employees and students differently, and women and girls are often more adversely affected by the epidemic, due to physiological, socio-cultural and economic reasons.
- 88.** A joint ILO/UNESCO programme to develop workplace policies on HIV and AIDS in education sector workplaces has been operating since 2005. The programme is helping governments and social partners to formulate and implement a coherent workplace policy framework, based on the ILO code of practice on HIV and AIDS and the world of work.
- 89.** In this context, model workplace policies on HIV and AIDS for the education sector have been developed and validated for the Caribbean and southern Africa in 2005 to assist teachers, principals and schools directors, as well as officials in the ministries of education and labour, teachers' organizations and private sector education employers/managers to develop and manage policies and programmes. A step-by-step checklist has also been

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developed to guide education institutions and systems in the implementation of the policy document.

## Recommendations

**90.** Taking into account the great impact of HIV and AIDS among teaching and non-teaching personnel in schools and other educational institutions, and the consequent threat to EFA goals, the Joint Committee makes the recommendations set out below:

- (1) Building on model education sector workplace policies developed by the ILO and UNESCO, **governments should, in collaboration with teachers' unions and employers**, take action to implement existing HIV and AIDS gender-sensitive workplace programmes for the education sector, and to develop and then implement such programmes where they do not exist. These programmes should include prevention, care and voluntary counselling and testing (VCT), creating a non-discriminatory work environment and empowering teachers to support affected children.
- (2) **The ILO and UNESCO** should ensure follow-up to adopted workplace policies on HIV and AIDS in the education sector by supporting governments and social partners, through social dialogue processes, in their implementation and monitoring of these policies and programmes in the workplace.
- (3) **Governments, together with teacher education institutions**, should take measures to integrate HIV and AIDS and gender-sensitive content in teacher education curriculum and adult (non-formal) education.
- (4) **Governments and other employers of teachers** need to address policies to meet higher medical costs of HIV-affected teachers.

## ***Gender and education***

### Trends

**91.** Some countries have reported increases in the percentage of women teachers and some are now concerned about the lack of male teachers in early childhood and primary levels. However, in many countries, there continues to be a need to recruit women teachers at secondary and higher levels, and in some subject areas that were previously considered male domains, such as physics and mathematics. Furthermore, there continues to be under-representation of women in leadership and management positions in schools and higher education institutions.

**92.** Effective and empowered women teachers have been shown to have a positive impact on girls' education. Reasons for this include the fact that women teachers can: serve as role models for girls; address the concerns of some parents who will not allow daughters to be taught by male teachers; lead to better retention and achievement by girls in school; offer improved advocacy for girls' needs and perspectives; and provide more female-friendly learning environments.

**93.** Specific examples of ongoing issues relating to gender imbalance in the teaching profession include:

- (a) accessibility and relevance of teacher training and professional and career development;



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- (b) lack of educated women who can take up teaching (especially in rural and remote communities) in some countries and lack of men who are interested in doing so in other countries;
  - (c) community attitudes towards women in the workforce in general, as well as specifically towards women teachers in some countries or men teachers in others;
  - (d) unequal/lower pay; and
  - (e) evidence that teaching is not attractive to women in some countries and to men in others.

## Recommendations

**94.** In order to address gender imbalances in the teaching profession the Joint Committee makes the following recommendations:

- (1) **Governments** should develop and implement better recruitment and retention strategies to ensure gender balance where appropriate, including quota targets, more flexible teacher training programmes, scholarships, pay equity and incentive programmes, as well as advocacy and awareness campaigns to change public perceptions of the teaching profession.
- (2) **Governments and social partners** should facilitate the development of supportive environments for women teachers in regions where there are shortages of female teachers, through working with local non-governmental organizations, women's organizations, local networks of women teachers and mentoring programmes for female teachers.
- (3) **Governments, in collaboration with social partners**, should ensure professional development opportunities for women at secondary and tertiary levels and in management, using innovative strategies such as open, distance and flexible learning (ODFL).
- (4) **The ILO and UNESCO** should assist governments to develop more gender inclusive content in teacher and professional training materials.
- (5) **Governments and other employers of teachers** should ensure equal representation of women and men in decision-making processes in teaching and management as well as coordinating bodies at national, regional and local levels.
- (6) **Governments and employers** should put in place conditions of work policies and practices that address equality of opportunity and treatment such as family-friendly working hours, maternity/paternity leave and practices against harassment and workplace violence.
- (7) **The ILO and UNESCO** should commission gender analyses of the teaching profession in developing countries, especially at early childhood and primary levels with a view of informing government policies and programmes.

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## C. The status of higher education teachers: Trends in the application of the 1997 Recommendation

### *Academic freedom in higher education*

- 95.** Academic freedom is defined in the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, 1997. It concerns individuals and institutions and embraces the following rights:
- freedom of teaching and discussion;
  - right to carry out research and freedom in disseminating and publishing the results thereof;
  - freedom to express freely opinions and participate in the institution's governance;
  - freedom from institutional censorship;
  - right to fulfil functions without discrimination;
  - autonomy of institutions of higher education;
  - decentralization of higher education institutions; and
  - independence of higher education.
- 96.** The 1997 Recommendation recognizes that academic freedom is included in the principles of collegiality, which also encompass shared responsibility, participation of all concerned in internal decision-making structures and practices, and the development of consultative mechanisms. The 1997 Recommendation (Article 27) stresses that higher education teaching personnel can only enjoy academic freedom if the society in which they operate is conducive to such principles, and this requires a democratic environment.

### Trends

- 97.** Both the extent and the complexity of change in higher education today are striking. Globalization brings an increase of new providers, privatization, marketization, a growing demand for higher education within a context of scarce financial resources, and limited human and institutional capacity in some countries. Short-term solutions addressing economic and political demands of the day often hinder long-term strategy and planning. Issues such as institutional autonomy and accountability, academic freedom, stratification, sustainability, market orientation, national needs, the role of the State, decision-making procedures, and power relations become central.
- 98.** The most important trends impacting on academic freedom that the Joint Committee found in the available background material can be summarized as follows:
- commercialization and privatization of higher education services;
  - decentralization;
  - decreasing continuity of employment, tenure and job stability of teachers;
  - reduced public and external financing due to different priorities;
  - brain drain in many countries;

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- increased workloads;
  - relative lack of attention given to universities and their teachers;
  - weakening of teacher organizations in defending their rights and interests.

**99.** The Joint Committee noted however, that the issues and trends described above vary from region to region.

## Recommendations

**100.** The Joint Committee, recognizing financial limitations, proposes that the following steps be taken by the **ILO and UNESCO**, and/or that they assist in implementation of recommended steps in collaboration with the **international university organizations and governments of member States**, applying both intellectual and material resources:

- (1) **UNESCO and the ILO** draft and publish a brochure on the 1997 UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel similar to the 2003 brochure entitled *The 1966 ILO/UNESCO Recommendation concerning the Status of Teachers: What it is? Who should use it?*;
- (2) **UNESCO and the ILO** organize joint, regional UNESCO/ILO workshops, seminars and symposia, in collaboration with CEART members, on the status of higher education teaching personnel, with action-oriented focuses to promote and implement the provisions of the 1997 Recommendation, particularly those relating to academic freedom;
- (3) **the ILO and UNESCO** commission a report on higher education indicators to inform the debate on academic freedom, e.g. in relation to governance structures, research frameworks and exchange programmes;
- (4) **member States** ensure the link between institutional autonomy and accountability and encourage accreditation mechanisms to support this practice;
- (5) **the ILO and UNESCO** assist governments and higher education institutions to develop transparent mechanisms for staff appraisal and performance review, consistent with the principles of the 1997 Recommendation; and
- (6) **governments of member States, university administrations and teacher organizations** continue to engage in dialogue, with a view to enhancing the principles of democracy, freedom, social responsibility, accountability, and transparency on the part of everyone.

## ***Employment and tenure in higher education***

**101.** The 1997 Recommendation emphasizes the close relationship between tenure and quality of higher education. Tenure provides a foundation for building nationally and internationally recognized programmes and institutions that combine excellence in teaching, research and service and bring these services to the larger community. Tenure, or its functional equivalent in the form of permanent employment with an institution or within a national civil service framework, provides the guarantees for independent thought, research and teaching. Without the guarantees of tenure for at least a core group of permanent faculty, higher education teaching and research staff have less commitment to their institutions and to their multiple roles and responsibilities.

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**102.** Since these principles are not yet applied in many institutions, the Joint Committee expressed its concern that the proliferation of part-time and temporary contracts undermined tenure as the dominant employment relationship in higher education institutions.

#### Trends

**103.** The Joint Committee recalled its 2003 observation that the growth of short-term and part-time contingent employment represented the biggest single challenge to tenure in higher education institutions. The evidence before the Joint Committee in 2006 strongly pointed to the continued steady rise in the phenomenon of part-time and temporary teaching faculty in higher education institutions and regions.

**104.** This trend has been driven by several parallel factors:

- massification of higher education (rapid increases in enrolment to meet student demand and equity goals without corresponding increases in resources);
- globalization, specifically the spread of transnational provision of higher education courses/programmes (distance learning);
- private tertiary institutions relying increasingly on contingent faculty;
- greater commercialization of higher education institutions acting as business enterprises accountable to market criteria, which encourages hiring based on cost considerations and shifts in student demand;
- closer collaboration between higher education and the business world, which promotes part-time contracts for research and specific projects (research on demand).

**105.** Many of these trends are driven by the spread in the use of ICTs.

#### Findings

**106.** CEART emphasized the value of the principles of the 1997 Recommendation to guide policies for the status of part-time and temporary academic staff. Part-time and temporary faculty can make valuable contributions to higher education, but they present new challenges to these institutions. The 1997 Recommendation, especially Article 72, is the basis for sound academic decisions.

**107.** The Joint Committee noted that the constraints on public sector resources for tertiary education were a major factor contributing to the instability in higher education employment relationships. Where faculty salaries were inadequate, staff were forced to accept part-time or temporary positions, thereby depriving their employer of the full benefit of their energies and talents.

**108.** The Joint Committee further noted that a disproportionate number of part-time and temporary faculty, in the most precarious jobs, were female.

**109.** Recognizing the importance of this issue, organizations (unions) representing higher education teaching personnel had occasionally contributed to improving the terms and conditions of employment for part-time and temporary staff.

#### Recommendations

**110.** The Joint Committee accordingly made the following recommendations:

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- (1) **Government and other educational authorities** examine the use of part-time and temporary appointments in relation to the needs of academic institutions and the principles of the 1997 Recommendation.
  - (2) **Unions representing higher education teaching personnel** use appropriate means to improve the position of temporary and part-time staff. Such actions would especially help with regard to providing opportunities for stable employment and professional development of junior faculty. This policy would also assist in achieving gender balance in tertiary education.
  - (3) **UNESCO and the ILO**, in collaboration with **organizations of teachers and academic employers**, gather and disseminate objective data on the nature of part-time and temporary academic staff in all regions of the world.
  - (4) **The ILO and UNESCO**, either separately or jointly, publish an analysis of the implications of part-time and temporary academic staff employment in relation to the principles of the 1997 Recommendation and the previous analysis of the issue by CEART in 2003. This analysis should be available for discussion at the Tenth Session of CEART in 2009.
  - (5) **Governments or educational authorities** facilitate the acquisition by temporary or part-time faculty of the necessary qualifications to become eligible for tenure or permanent status.

### ***Higher education: Freedom of association and staff participation in decision-making***

- 111.** The Joint Committee noted that Articles 31 and 32 of the 1997 Recommendation set out specific standards concerning self governance and collegiality. It envisaged that higher education personnel should:
  - have the right and opportunity to take part in the governing bodies of institutions and to criticize their functioning, and to constitute a majority of members of academic bodies; and
  - be able to participate in internal decision-making structures and practices and in the development of consultative mechanisms.
- 112.** Article 32 of the 1997 Recommendation particularly states that collegial decision-making should encompass decisions regarding the administration and determination of policies of higher education, curricula, research, extension work, the allocation of resources and other related activities.
- 113.** Articles 52–56 of the 1997 Recommendation clearly contemplate the positive promotion within institutions of collective bargaining, and the determination of salaries, working conditions, and all matters related to terms and conditions of employment, through a voluntary process of negotiation between organizations representing staff and their employer.

### **Trends and findings**

- 114.** The issues of freedom of association and staff participation in decision-making are necessarily linked with the issue of academic freedom. The factors that bear on academic freedom are almost inevitably a product of the environment related to the degree of freedom of association and staff participation that actually exists.

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- 115.** In general, significant trends have emerged towards so-called “academic capitalism”, involving institutional or professional market or market-like efforts that facilitate the earning of external funds. There has been an increasing demand by States for closer integration of university teaching and research with business and commerce, through partnerships. In many countries, funds are more and more allocated for joint research with industry, and involve the commercialization of research.
  - 116.** In this context, universities are increasingly adopting corporate models and restructuring their operations to reflect business, rather than academic functions. Corporate loyalty to academic institutions is expected with regard to all public comments, even on internal academic issues.
  - 117.** In such a setting, which is very much a product of globalization, there has been a marked rise of managerialism and the idea of the university as a business. On the other hand, in some countries, there has been a commendable involvement of academic staff in managerial decision-making processes.
  - 118.** These developments have resulted in a weakening of collegiate management arrangements, with a concomitant strengthening of intrusive bureaucratic oversight and management arrangements. Features of this situation include that academics are subject to increasing levels of control and face the prospect of disciplinary action or threats to advancement if they speak out in a manner perceived to be critical of government or institutional policies, in the formulation of which they have had little or no input.
  - 119.** There is evidence that, in a significant number of countries, participation in decision-making is progressively being eroded by strategies such as the elimination of academics from governing bodies or major institutional committees. In addition, real opportunities for cooperative dialogue and negotiation in relation to the evolution of management processes, proper institutional autonomy and accountability have been reduced.
  - 120.** Such developments have not only weakened the notion of academic freedom, but have also tended to undermine both staff participation in decision-making, as envisaged by the 1997 Recommendation, and the concept of freedom of association in the practical sense.
  - 121.** With the steady erosion of time-honoured concepts of tenure and its associated security of employment, and a trend towards negotiation of individual contracts of employment, the existence and practical ability of staff bodies to vibrantly represent the interests of academic staff has been weakened and the capacity for such bodies to effectively engage in collective bargaining activities has been reduced.
  - 122.** In some countries, the impact of budgetary allocations to institutions has become a powerful force bearing on the practical extent to which academic staff can, in reality, truly participate in collegial decision-making in the sense contemplated by the 1997 Recommendation. Budgetary allocations can have a profound effect on the extent to which effective collective bargaining is feasible.
  - 123.** In practice, there has been an increasing degree of exclusion of staff members from the governing bodies of institutions with a resultant diminution of capacity to engage in collegial self-governance and decision-making in relation to other than purely academic matters, and then only within the policies evolved by management.
  - 124.** The material before the Joint Committee suggested that in many countries recent developments have therefore, in a practical sense, steadily undermined the traditional practical application of the concepts expressed in the relevant Articles of the 1997 Recommendation. It considered that there is a pressing need to identify the nature, extent

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and effect of that erosion in a definitive manner and to then develop new approaches to ensure the Recommendation's proper application in the present, rapidly changing environment.

- 125.** The Joint Committee considered that in some countries it is apparent that the relevant provisions of the 1997 Recommendation are either not well known or totally unknown.

## Recommendations

- 126.** The Joint Committee therefore recommended that, as a matter of urgency, **UNESCO:**

- (1) commission a comprehensive comparative study of the extent to which the standards expressed in Articles 31, 32 and 52–56 of the 1997 Recommendation are currently being observed;
- (2) develop, **in consultation with the stakeholders**, and publish guidelines based on best practice in the present market-driven environment, designed to lead to a fair and proper application of the concepts referred to in those Articles, having regard to the impact of that environment; and
- (3) **in cooperation with the ILO**, take steps to better promulgate the contents of the 1997 Recommendation to governments, university governing bodies and staff organizations involved in higher education, as well as to regional bodies (such as, for example, the Association of African Universities). One method of doing so could be the convening of a series of regional conferences involving the stakeholders involved with carrying out the study referred to in the first recommendation.

## II. Progress made in the promotion and use of the 1966 and 1997 Recommendations

### A. Working methods

**127.** Resource restrictions within the ILO and UNESCO have imposed limitations on the ability of the Joint Committee to pursue some matters identified in its last report and also envisaged by the approved draft agenda for the present meeting. The capacity of the Joint Committee to discharge its mandate has necessarily been restricted by the breadth of the background material set out in Appendix I to this report and time constraints imposed in their analysis. The Joint Committee nevertheless notes with satisfaction that a working draft of a report on the state of academic freedom and institutional autonomy within the context of the Recommendation on Higher Education Teaching Personnel (1997) was prepared by UNESCO in accordance with Article 75 of the 1997 Recommendation, and presented to the Ninth Session of CEART. The synthesis report provides a general, as well as a regional, overview of the world situation of academic freedom and institutional autonomy.

**128.** Given the resource constraints indicated above, the Joint Committee decided that in future it would consider fewer themes related to its mandate. It therefore reconsidered its working group methodology and recommended that, for its Tenth Session, it would fulfil its mandate to monitor the two Recommendations through the creation of the following working groups:

- (a) teacher education at all levels and related topics;
- (b) employment and careers, teacher salaries, teaching and learning conditions;

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- (c) social dialogue;
  - (d) academic freedom;
  - (e) self-governance and collegiality;
  - (f) a high priority topic related to one of the Recommendations to be defined by the ILO and UNESCO; and
  - (g) the Working Party on Allegations.

**129.** The Joint Committee recommended that cross-cutting themes, such as gender, would be addressed in all groups. It further recommended that a more regional perspective be given to the discussion, drawing on the expertise and experience of the CEART members, and that specific consideration be given to issues that might arise in the future.

**130.** The Joint Committee emphasized the need for increased communication and professional dialogue among members between the sessions and recommended that an electronic LISTSERV be set up to support this. It further recommended that the ILO and UNESCO, in discussion with the Joint Committee, consider how best to facilitate the process of greater involvement in the sourcing or generation of appropriate documentation.

**131.** Accordingly, the Joint Committee endorsed an approach whereby the joint secretariat would invite coordinators of working groups to seek written contributions from other members, including on a regional basis, on the priority issues before it. The coordinators would collaborate with the joint secretariat to obtain other reports and information. The joint secretariat, in close cooperation with the CEART Rapporteurs and the Chairperson, would then assemble all relevant material and prepare a consolidated report on the chosen topics. This report must be prepared and distributed to all Joint Committee members at a minimum two (2) months prior to the selected dates of the next session in 2009. The report could be supplemented by other background documents, as appropriate.

**132.** The Joint Committee noted the increased attention to World Teachers' Day and suggested that more emphasis be placed on the promotion of the Recommendations and support to World Teachers' Day. It was further suggested that members could liaise with UNESCO and ILO field offices to support this process.

**133.** Recalling its endorsement of the initiative, the Joint Committee noted that the Executive Board of UNESCO continued to examine a new approach to monitor a selective number of its international standards, including the ILO/UNESCO Recommendation of 1966. This would involve requesting member States of UNESCO to report periodically on a staggered schedule. Following proposals by its Committee on Conventions and Recommendations at the September–October 2006 session of the Executive Board, it was decided to give priority to ten Recommendations. Two of these ten priority Recommendations included the 1966 and the 1997 Recommendations. The Joint Committee expressed the hope that a decision would be taken soon, as it saw the process as enhancing the available sources of information that allow CEART to complete its mandate satisfactorily.

## **B. Review of reports and other sources of information in accordance with the mandate of the Joint Committee**

**134.** In its last report the Joint Committee stressed the importance of the development and maintenance of comprehensive and internationally comparable teacher indicators of the types identified in its 1997 report, along with certain additional indicators. It made a series



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of specific recommendations for action in that regard over the following three years, including the identification of data and needs related to the higher education sector and studies with regard to four specific areas of particular relevance to current and projected teacher shortages.

- 135.** The Joint Committee had before it on this occasion the major report entitled *Teachers and Educational Quality: Monitoring Global Needs for 2015* published by the UNESCO Institute for Statistics (UIS) in April 2006, together with a useful background paper presenting key indicator data drawn partly from that report and partly from data extracted from an ILO action programme involving ten participating countries.
- 136.** The UIS document provides a comparative assessment on the state of teachers and education quality based on a wide range of data sources. This highlights trends in teacher quantity and quality and explores the policy implications of bridging the gap between the two, especially in developing countries. It examines the trade offs between increasing teacher supply and lowering educational standards, as well as policy variables associated with teacher deployment and working conditions (such as instructional hours, class size and salary structure) that can be adjusted to accommodate more pupils. The latter focuses on drawing together data related to teacher salaries, hours of work, class sizes and similar indicators.
- 137.** The Joint Committee also considered the *EFA Global Monitoring Report 2005: The Quality Imperative* (GMR) published by UNESCO. Although the report has a much wider thrust, it contains valuable data related to pupil/teacher ratios, average teacher salaries and the proportion of education spending allocated to various items, as measures of educational quality. It also provides important data on employment status, training, salaries, teacher qualifications and distribution, teacher absenteeism, teacher deployment and education outcomes.
- 138.** The Joint Committee further examined information contained in European Union and OECD publications:
- *Key Data on Education in Europe 2005*, Eurydice, Luxembourg, which provides comprehensive data on the role and composition of the teaching profession in EU member and candidate countries; and
  - *Teachers Matter: Attracting, Developing and Retaining Effective Teachers*, OECD, Paris, 2005, which analyses recent trends and policies, and provides a number of important policy recommendations for OECD member States on basic provisions for the teaching profession in a context of substantial teacher shortages.
- 139.** The Joint Committee commends the production of such publications as invaluable tools in relation to the monitoring of the application of the 1966 Recommendation. Their content is reflected in the conclusions arrived at by the Joint Committee in relation to the thematic considerations expressed in this report.

### **C. Review of ILO and UNESCO joint or separate activities to promote the two Recommendations**

- 140.** The background document prepared by the joint secretariat concerning activities carried out to promote knowledge and use of the two Recommendations, separately and jointly, demonstrated to the Joint Committee that despite resource constraints, a commendably wide range of activities has been undertaken by the ILO and UNESCO to promote the two Recommendations since its Eighth Session.

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## **World Teachers' Day**

- 141.** The Joint Committee noted the continued observance of the anniversary commemorating the adoption of the 1966 Recommendation on 5 October each year. It is a promotional event, designed to focus attention on the status of teachers in relation to quality education, and continues to grow in importance. More than 100 countries now officially celebrate this annual occasion, in many cases in association with specific educational related activities. These include an annual message signed by the executive directors of UNESCO, ILO, UNDP and UNICEF, and an extensive range of activities carried out by teachers' organizations on the initiative of Education International (EI).
- 142.** The Joint Committee applauded in particular the promotional activities in celebration of the 40th anniversary of the adoption of the 1966 Recommendation, as an important means of inviting attention to the two Recommendations and their content. The activities in 2006 included a special, high profile event, organized by EI in Brussels, with the participation of the ILO, UNESCO and the Chairperson of the Joint Committee on 5 October. This event featured a special panel to mark the anniversary and the message issued on behalf of the Joint Committee by its chairperson (Appendix III).

### ***Information sharing and communication – Use of the Internet***

- 143.** The Joint Committee also noted the steadily expanding use by the ILO and UNESCO of their respective web sites as a means of promulgating relevant information concerning the status of teachers, the two Recommendations and the work of CEART itself. It particularly commended the ILO which, in concert with UNESCO, has maintained and developed the CEART web site in three languages (English, French and Spanish) in an attractive and informative manner. By means of that web site, it has been possible for the content of the two Recommendations, recent reports of CEART, and general information concerning its work, to become more widely known. This is an invaluable means of communicating the content of the relevant material to a broader potential audience. However, the Joint Committee requested that the web site be further developed to enhance its accessibility. It also recommended that UNESCO make more explicit links with the CEART site. It noted that other specific information related to teachers' issues is also extensively promulgated by the ILO and UNESCO on a variety of Internet sites.

### ***Information dissemination: Written and electronically published materials***

- 144.** In its last report, the Joint Committee expressed continuing disappointment at the lack of substantial progress in updating the annotated brochure on the status of teachers that was first produced in 1984. The Joint Committee was gratified to receive a final draft of the revision at its Ninth Session. This will constitute a most valuable electronic and print tool for use by educational authorities, public and private, teachers' organizations and other educational stakeholders in relating the content of the two Recommendations to contemporary situations.
- 145.** The redraft contains a general introductory section, including an explanation of the gender insensitive language of the 1966 Recommendation, based largely on findings and recommendations of the Joint Committee in its reports since 1984 and related ILO and UNESCO texts, and contains references to contemporary and cross-cutting issues which have profoundly influenced education and teachers since 1966. The Joint Committee suggested that there be full and shortened versions, but that the shortened version be more widely distributed.

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- 146.** An associated promotional booklet on the Recommendation, previously produced in English and French, has now been translated and published in the Spanish and Russian languages. In addition, since the last meeting of the Joint Committee, UNESCO has taken steps to revise the current Arabic translation of the 1966 Recommendation, in cooperation with the ILO. When completed, the new Arabic version will be posted on the CEART web site.

### ***Information dissemination: UNESCO and ILO meetings and related activities***

- 147.** During the reporting period since 2003, the ILO and UNESCO have taken the opportunity of disseminating the Recommendations, or information from them, in various forums related to education and also in the context of action programmes and research related activities. The Joint Committee applauded this type of integrated approach which demonstrated a practical application of the principles of the Recommendation.

### ***Research and reports related to the Recommendations***

- 148.** In its report of the Eighth Session, the Joint Committee made a series of specific recommendations for future research activity. The Joint Committee noted with pleasure the positive response to those proposals. The following brief résumé indicates the relevant highlights of that response as well as certain additional initiatives:

- *Teacher indicators and education for all:* The important UIS report published in 2006, which was referred to earlier and the Global Monitoring Report published in 2005;
- *HIV and AIDS and teachers:* Workplace policies on HIV and AIDS in education sector workplaces in the Caribbean and Mozambique that were published in 2006 by the ILO and UNESCO;
- *Gender in education:* A UNESCO Asian regional brief on gender profiles, trends and policy options;
- *Teacher education:* UNESCO publications, notably: a teachers' handbook dealing with ICT in schools; a publication reviewing teacher professional development in concert with other agencies; a monograph on training educators for adult basic education, the application of distance and open learning; and a series of studies covering teacher education in Arab States and the Latin American region;
- *Employment, careers of teachers, teachers' salaries and teaching and learning conditions:* A continuance and development of statistical profile analyses of the teaching profession following recommendations in the Joint Committee's 2003 report;
- *Social dialogue in education:* ILO-published studies on social dialogue in education, particularly in Latin America, and background documents covering global trends for the present CEART session;
- *Academic freedom in higher education:* UNESCO publications on the current state of academic freedom in six Latin American countries, on academic freedom for Africa in the twentieth century, and a working draft of an international report by UNESCO;

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- *Employment structures and tenure in higher education: ILO-produced publications: academic tenure and its functional equivalent in post-secondary education; academic employment structures in higher education in Argentina and Latin America; part-time and temporary employment in Canada and the United Kingdom. UNESCO has also undertaken specific surveys on the state of higher education teachers' employment in Europe;*
  - *Freedom of association and staff participation in higher education decision-making: An ILO-commissioned background document for discussion at the Ninth Session of the Joint Committee.*

## **D. Allegations on non-observance of the Recommendations**

### ***Allegations received since the Eighth Session, 2003***

**149.** Since the last session in September 2003, five allegations were received from individuals or teachers' organizations relating to the application of the 1966 Recommendation and one was received from a teachers' organization in relation to the application of the 1997 Recommendation. Of these, only the one relating to the 1997 Recommendation was properly receivable, according to the criteria and procedures of the Joint Committee. The substance of that report is set out in Appendix II of this report. The remainder of the allegations were deemed to have been non-receivable according to those criteria and procedures, although, where appropriate, they were redirected for consideration by other competent bodies.

### ***Review of further developments in allegations previously received***

- 150.** Following the last report of the Joint Committee in 2003, further communications were received from the Government of Japan and from the All Japan Teachers and Staff Union (ZENKYO) concerning the matters referred to in Annex II of that report.
- 151.** In accordance with the revised procedures referred to in the report of the Seventh Session of the Joint Committee, the additional communications were examined by the Joint Committee's Working Party on Allegations and the Joint Committee adopted an interim report. In this report, the Joint Committee concluded that the matters complained of by ZENKYO constituted departures from the standards set by the 1966 Recommendation, and that important issues related to the evaluation of teachers and the implementation of a merit rating system remained largely unresolved. The Joint Committee urged the parties to enter into ongoing discussions in good faith at both the national and prefectural levels, with a view to attempting to resolve the outstanding issues in a mutually acceptable manner. It requested that the Government and ZENKYO keep it informed of developments.
- 152.** The interim report was duly placed before the ILO Governing Body and the UNESCO Executive Board. The Governing Body of the ILO noted the report in November 2005 and authorized its distribution to the Government of Japan and to ZENKYO, requesting that they keep the Joint Committee informed on further developments. In September 2006 the interim report was examined by the UNESCO Executive Board, which noted the report and recommended that the Government and ZENKYO enter into dialogue, as proposed by the Joint Committee.

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- 153.** In April 2006, ZENKYO forwarded further detailed information to the Joint Committee in which it asserted continuing departures from the standards set out in the 1966 Recommendation.
- 154.** A supplementary communication was also received from the Nakama Teachers' Union in relation to the introduction of the evaluation system in the Osaka Prefectural Board of Education district. This asserted non-observance of the provisions of the 1966 Recommendation in relation to the introduction of the evaluation system. The communication specifically complained of a failure to engage in proper dialogue with the union prior to the introduction, a lack of transparency in the evaluation system as implemented, and an inadequate system of review of objections to individual evaluations made.
- 155.** A detailed response to the further ZENKYO assertions was received from the Government of Japan just prior to the Ninth Session. With regard to the Nakama Union assertions, the Government requested that this matter be deferred pending consideration of the wider issues raised by the ZENKYO allegation at the present session. Accordingly, the Joint Committee was not able to arrive at any firm conclusions at that meeting on the issues in question in relation to the Nakama Union assertions.
- 156.** The Joint Committee examined this additional material carefully. Its summary of the substance concerning the further allegations, and findings and recommendations to the competent bodies of the ILO and UNESCO and to the Government and ZENKYO are set out in Appendix II to this report.
- 157.** In August 2006, the Joint Committee received a communication from Education International and the Ethiopian Teachers' Association concerning serious problems in Ethiopia, an extension of information previously examined by the Joint Committee in its earlier reports. The substance of the alleged matters is summarized in Appendix II to this report. As at the holding of the Ninth Session, the Joint Committee had not received any response to its request for observations from the Government of Ethiopia nor had the Government responded to a reminder that was sent by the secretariat requesting a response by 15 December 2006. Further consideration of the present allegation was therefore deferred for examination as an interim report in 2007 according to relevant procedures, pending receipt of those observations.
- 158.** In its last report, the Joint Committee noted the receipt of an allegation concerning Bangladesh that was deferred for consideration because it had not been received in time for consideration at the Eighth Session. The Joint Committee had not received any response to its request for observations from the Government of Bangladesh, nor had the Bangladesh Federation of Teachers' Associations (BFTA) responded to a request for clarification of some aspects of its allegation. The ILO and UNESCO had attempted to convene a seminar involving the Government of Bangladesh and interested unions to address relevant problems, but this had not proved possible. Further consideration of the allegation was deferred, pending receipt of additional information. Under the circumstances, the Joint Committee decided not to consider the matter further unless and until additional information was received.

### **III. Proposed draft agenda of the Tenth Session of the Joint Committee**

- 159.** The Joint Committee proposed a draft agenda for its Tenth Session in terms set out in Appendix IV.

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## Appendix I

### Background documents for the Ninth Session <sup>1</sup>

#### **ILO and UNESCO**

- ILO and UNESCO O. 2006a. “Review of ILO and UNESCO joint or separate activities to promote the two Recommendations” (agenda item document prepared for the CEART, Paris and Geneva, July 2006).
- . 2006b. *The status of teachers: an instrument for its improvement: The international recommendation of 1966, Joint Commentaries* (background document prepared for the CEART, Geneva, 2006).
- . 2006c. *An HIV and AIDS workplace policy for the education sector in the Caribbean* (Port of Spain, 2006).
- . 2006d. *An HIV and AIDS workplace policy for the education sector in Southern Africa* (Geneva, 2006).

#### **ILO**

- Fyfe, A. 2006. *The use of contract teachers in developing countries: Trends and impact* (background document prepared for the CEART, Geneva, 2006).
- ILO. 2006a. *Employment, career and teaching learning conditions: Trends from ILO, UNESCO and OECD data, Part A: Employment and careers, Part B: Teaching and learning conditions, Part C: Teacher salaries* (background documents prepared for the CEART, Geneva, 2006).
- ILO/AIDS. 2006. *Information sheet on HIV/AIDS trends and impact on teachers* (background document prepared for the CEART, Geneva, 2006).
- Ratteree, B. 2004. *Teachers, their unions and the Education for All Campaign*, background paper for the *Global Monitoring Report, 2005 – Education for All: The quality imperative* (Paris, UNESCO, 2004).
- Savage, D. 2006. *Fairness for part-time and limited term academic staff in the United Kingdom and Canada* (background document prepared for the CEART, Geneva, 2006).
- Vere, A. 2006a. *Freedom of association and staff participation in higher education decision making: A review* (background document prepared for the CEART, Geneva, 2006).
- . 2006b. *Social dialogue in the education sector: An overview* (background document prepared for the CEART, Geneva, 2006).

#### **UNESCO**

- Gómez, S. 2005. *A survey of the current state of academic freedom in six Latin American countries: Case studies: Brazil, Chile, Colombia, Honduras, Mexico and Jamaica* (Paris, 2005).
- Mama, A. 2003. *Towards academic freedom for Africa in the 21st Century* (Cape Town, African Gender Institute, University of Cape Town, 2003).
- Moon, B. 2006. *Research analysis: Attracting, developing and retaining effective teachers: A global overview of current policies and practices* (background document prepared for the CEART, London and Paris, 2006).

<sup>1</sup> Does not include preparatory documents for specific agenda items of the session. Documents indicated as “background document prepared for the CEART” are unpublished documents or papers for background use by the CEART only unless otherwise indicated.

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- UNESCO. 2004. *Education for All: The quality imperative – Global Monitoring Report, 2005* (Paris, 2004).
- . 2006a. *HIV and AIDS in education: Trends, impact on teachers and international programmes* (Paris, 2006).
- . 2006b. *The impact of women teachers on girls' education* (Bangkok, March 2006).
- . 2006c. *The state of academic freedom and institutional autonomy within the context of the Recommendation concerning the Status of Higher Education Teaching Personnel, 1997* (Paris, August 2006).
- . 2006d. *Report on the Asia Regional Seminar on the Status of Teachers: Attracting, Developing and Retaining Effective Teachers* (Bangkok, August 2006).
- . 2006e. *Teachers and educational quality: Monitoring global needs for 2015* (Montreal, UNESCO Institute for Statistics, 2006).

### **Other organizations**

- Degazon-Johnson, R. 2006. *Teacher mobility and migration in Commonwealth Member States, Report to the Ninth Session of the CEART* (London, Commonwealth Secretariat, 2006).
- Eurydice. 2005. *Key data on education in Europe 2005* (Luxembourg, European Union, 2005).
- Education International. 2006. *Report to CEART concerning the implementation of the 1966 ILO/UNESCO Recommendation concerning the Status of Teachers and the 1997 UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel* (Brussels, August 2006).
- OECD. 2005. *Attracting, developing and retaining effective teachers* (Paris, 2005).

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## Appendix II

### Allegations received from teachers' organizations

#### A. *Allegations received since the Eighth Session, 2003*

1. Allegation received from the National Tertiary Education Union (NTEU) of Australia

##### *Background*

1. Under cover of a letter dated 8 May 2006 addressed to the Director-General of UNESCO for transmission to the Joint Committee, the Australian National Tertiary Education Union (NTEU) submitted allegations on the non-observance of the 1997 Recommendation by the Australian Government.
2. It appeared that separate complaints had also been made by the NTEU to the competent bodies of the ILO concerning content of the Commonwealth Grant Scheme Guidelines (CGSG), hereafter referred to, said to offend the provisions of other international instruments related to freedom of association and collective bargaining rights. These allegations have not been considered directly by the Joint Committee, respecting the agreed procedures.
3. In proffering its allegations, the NTEU accepted that each university in Australia is an institution that is legally autonomous and independent of the Australian Government. However, it made the point that significant funding upon which the universities rely in relation to teaching and research activities emanated from the Australian Government, pursuant to the provisions of the Higher Education Support Act 2003. The NTEU asserted that the CGSG issued by the Australian Government by virtue of the Higher Education Support Act 2003 contravened a number of key Articles of the 1997 Recommendation.
4. It should be noted that, in the Australian context, universities owe their existence and operate pursuant to legislation of the various states and territories, but are reliant for key funding on the Australian Government. That Government provides a financial subsidy for each government-funded student enrolled, thereby contributing about 40 per cent of university income. Each such student pays a so-called Higher Education Contribution Scheme (HECS) contribution. Australian universities also enrol a proportion of full fee-paying students, who meet the entire cost of tuition fees. Many of such students are from other countries within the same region as Australia.
5. For present purposes the NTEU asserted that the CGSG provisions offended clauses of the 1997 Recommendation related to academic freedom, institutional autonomy, institutional accountability, collegiality and governance rights.
6. The NTEU said that the allegations made by it must be viewed in the context that the CGSG now required all universities to offer staff individual contracts (called Australian Workplace Agreements), remove limits on fixed-time/casual employment and eliminate any direct union role in collective bargaining disputes and agreements.
7. The core allegations made by the NTEU are summarized in the following points:
  - (1) The Higher Education Workplace Relations Requirements (HEWRRs) imposed by the Australian Government which, in effect, promote a movement towards individualized employment contracts, not only signal a strong movement away from collective bargaining processes, but actually encourage universities to manage their affairs in arbitrary ways and not through collegial systems. It is said that most key academic leadership positions within the former collegial structure are now filled by persons who are appointed and not elected by their peers and that career pathways into the academic profession have been undermined by the abolition of restrictions on contract, fixed-term and casual employment.
  - (2) The Australian Government has, in practical terms, dictated the content of specific provisions to be incorporated into collective agreements, despite the fact that the Government is not a party to any such agreement and now provides only 40 per cent of university income. It is



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argued that the institutions are limited in their rights to employ staff according to desired educational and organizational objectives and that there is no recognition of the important role played by the factors of institutional autonomy, academic freedom and professional standards in sustaining universities in their core functions of teaching, learning, research and community engagement.

- (3) National Governments Protocols (NGPs) recently introduced by the Australian Government have been designed to “corporatize” governance functions within universities and have minimized staff and student involvement, both by reason of specific prescriptive provisions related to the composition of governing bodies and also by redefining concepts of what constitutes a conflict of interest. It is said that student and staff representatives, once welcome to play a full role on key committees, are now routinely excluded from serving on financial and commercial committees in particular.
  - (4) The NTEU communication complained that the net result of the above factors has been to create a hierarchical, rather than a collegial, management system, within which staff may be disciplined for expressing critical views and are effectively denied the right to participate in institutional governance as part of the exercise of academic freedom. As to this, a climate has been generated within which there is less and less toleration of critical views and that a climate for transparency and accountability of governing bodies that encourages freedom of expression and thought is steadily diminishing. It is asserted that there is less and less toleration of differing views, with “conflict of ideas” being equated with “conflict of interest”
  - (5) The Australian Government has restructured the governance of the body responsible for tendering advice as to the allocation of research grants, so as to interpose between the former objective peer review process and the Minister, three ministerially appointed, high-profile lay persons as a so-called “Quality and Scrutiny Committee”, to provide external input into research funding decisions. This is likely to lead to politically or ideologically driven decision-making as to allocation of research grants, according to the communication.
8. In accordance with the approved procedures, the Joint Committee requested the Australian Government to submit its observations on the NTEU’s allegations.
  9. Observations were received by the Joint Committee from the Australian Government shortly prior to its Ninth Session. The key features of those observations may be summarized in the following points:
    - (1) The assertions made by the NTEU had to be considered in the context of what were described as reforms of the higher education sector designed to establish a partially deregulated system in which individual universities are enabled to capitalize on their particular strengths and determine their course offerings in a competitive environment. The reforms afforded access to increased levels of federal funding.
    - (2) The NTEU’s assertion that the Government’s encouragement of universities to enter into stronger relationships with business, thereby leading to a diminution in academic freedom, had not been established and any matters complained of in that regard were not matters of government policy but appeared to be complaints related to practices of individual universities.
    - (3) The purpose of the HEWRRs was not to deny rights under international instruments. Rather they were part of the general new workplace relations policies designed to encourage job creation, recognize a more direct relationship between employers and employees and promote productivity and freedom of association and representation.
    - (4) The HEWRRs require universities to provide: choice in agreement making; direct relations with employees; workplace flexibility; productivity and performance; and freedom of association. In return for these provisions they become eligible for increased levels of federal funding. It is for the individual institutions and not the Government to evolve and enter into bargaining processes. All but one have elected to apply the HEWRRs.
    - (5) A performance management approach does not substitute arbitrary decision-making for a collegial system. It aims to produce fair and transparent performance management schemes that reward high-performing individual staff, whilst at the same time enhancing the flexibility of institutions to adapt to the changing needs of students and industry within the global education market.

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- (6) Freedom of association is not denied but preserved by law, with unions being able to advise members of their rights and to represent them in such collective or individual bargaining activities as occur as well as to speak out on issues of academic freedom.
  - (7) A number of claims concerning the impact of the NGPs are unfounded and, in any event, these are not compulsory, although compliance does lead to increased funding levels.
  - (8) The protocols have been implemented by state legislation related to the establishment of the various institutions. They are not aimed at reducing staff and student representation on governing bodies but on rendering governance of them more efficient and relevant.
  - (9) Governing bodies must not exceed 22 members, of which the majority must be external to the institution. The protocols permit up to eight staff or student members and there is no restriction on membership of academic bodies within the institution.
  - (10) Questions of what constitutes a conflict of interest are not defined in the protocols and it is for the institutions themselves to resolve issues of that type.
  - (11) As to the process of allocation of research grants, the peer group review processes have not been changed. In like manner to the pre-existing procedures, only those applications that have been through the appropriate review process can be approved and the Minister is prevented by legislation from approving applications that have not been so reviewed. The Minister has no power of direction to the chief executive officer of the relevant board to direct that a specific proposal for funding should be recommended or not recommended.
10. It is the stance of the Australian Government that no actions on its part have been in conflict with the provisions of the 1997 Recommendation. On the contrary, they have given effect to the concepts expressed in it.
  11. Due to the time at which the observations of the Australian Government were received, it was not possible to obtain the response of the NTEU to them, nor to obtain final comments from the Australian Government on the NTEU's further observations, prior to the close of the Ninth Session or the Joint Committee's term of office, in accordance with the relevant procedures. Accordingly, the Joint Committee was unable to proceed to a final consideration of the matter at the current session and it was deferred for examination as an interim report in 2007 in accordance with the relevant procedures.

### *Recommendation*

12. The Joint Committee recommended that the Governing Body of the ILO and the Executive Board of UNESCO take note of that situation and that further consideration of the relevant allegations has necessarily been postponed until an interim report can be prepared for consideration in 2007.

## **B. Further developments in relation to allegations previously received**

1. Allegation received from Education International (EI) and the Ethiopian Teachers' Association (ETA)

### *Background*

1. Details of this allegation are set out in the last two reports of the Joint Committee.
2. In its report of its Eighth Session in 2003, the Joint Committee noted the existence of continuing serious problems in Ethiopia. It observed that it was difficult to reconcile observations made by the Government of Ethiopia in mid-2003 with communications received from EI as to the true situation concerning the status and position of teachers and the ETA.
3. In these circumstances, the Joint Committee made a series of recommendations designed both to clarify the actual factual situation and also to address identified apparent problems. It further invited the Government, EI and ETA to consider additional fact finding, technical advisory services and capacity building for greater social dialogue in education.

### *Further developments*

4. In a letter to the Director-General of the ILO, dated 4 August 2006, EI contended that conditions with regard to teachers in Ethiopia had not improved since 2003, but had actually deteriorated

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further, coinciding with the development of considerable social unrest following general elections held in May 2005.

5. EI asserted that the present Government of Ethiopia has refused to recognize the ETA and has set up another body of the same name which is effectively government controlled, that proper social dialogue in education is virtually non-existent and that there are serious non-observances of the 1966 Recommendation in relation to teachers' salaries, teaching facilities, class sizes, teacher training and career development.
6. EI asserted that teachers are marginalised, subject to harassment, repression and a range of human rights violations, have inadequate working conditions and are leaving both the profession and the country. It complained that there have been serious incursions into the freedom of teachers to associate and that government action against the ETA, its officers and its assets has rendered it extremely difficult for the organization to discharge its functions.
7. In the absence of a reply from the Government, it was again requested to send its observations within a reasonable period of time.

### *Conclusions*

8. The Joint Committee currently awaits the observations of the Government of Ethiopia in relation to the further allegations made, and is not presently in a position to arrive at final conclusions as to those allegations.
9. Having made that point, it must be said that the long history of this matter strongly indicates that there are patently serious and continuing difficulties between the teachers and their organization on the one hand and the Government of Ethiopia on the other.
10. The Joint Committee recommended that the Governing Body of the ILO and the Executive Board of UNESCO take note of the situation as described above.

## 2. Allegation received from the All Japan Teachers' and Staff Union (ZENKYO) and the Nakama Teachers' Union

### *Background*

1. Details of the ZENKYO allegation, which stems from a communication originally dated 5 February 1998, are set out in the report of the Joint Committee at its Eighth Session and in its further interim report in September 2005. The relevant history of the matter is dealt with in paragraphs 1–12 inclusive of the interim report.
2. In essence, the allegation focused on two core issues, namely:
  - (a) the details and mode of implementation of a system designed to deal with teachers perceived to be incompetent; and
  - (b) a system designed to reward teachers who had demonstrated excellence in their work, through special promotions and by direct financial benefits.
3. The Joint Committee expressed the views, in its 2003 report, that the relevant systems had been developed without appropriate consultation, as contemplated by the 1966 Recommendation, and that:
  - (a) as to the issue of teacher competence, the essential elements of the proposed new system fell short, in various respects, in the observance of specific provisions of the Recommendation;
  - (b) as to the system of merit assessment, this had plainly not been evolved in accordance with clauses 64 and 124 of the Recommendation, notably exhibiting the lack of an appropriate process of prior consultation, involving the making of subjective evaluations that were not the subject of specific rights of review and appeal and lacking transparency and openness of process.
4. Following a recommendation of the Joint Committee, some limited dialogue did take place at a national level between representatives of the Ministry and ZENKYO in March 2004. However, this did not appear to lead to any substantial change in the impugned systems.
5. As appeared from the interim report of the Joint Committee, some limited remedial steps were taken in certain prefectures, but, in the main, objectionable features of the systems remained in place –

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with the national Government continuing to assert that matters of local administration and management remained the main questions and were not encompassed by the Recommendation.

6. The Joint Committee concluded its interim report in these terms:

16. Moreover, the Joint Committee respectfully stresses that its earlier assessments of the situation are not directed to narrow issues of legal right, but to the desirability of observance of recognised international standards relating to teachers and the importance of effective social dialogue in the evolution of educational systems.

17. The Joint Committee notes that the latest government response does not deal with the assertion of ZENKYO that the substantive issues relating to the establishment and implementation of a merit rating system remained largely unresolved.

18. The Joint Committee emphasizes that the Recommendation envisages that the parties will approach processes of consultation in a spirit of cooperation. Within a decentralized system such as that in Japan, those processes need to take place in a level at which the relevant administrative procedures and methods are actually established and implemented. The involvement of the Ministry in providing guidance on means by which appropriate procedures and methods could be adopted and applied in a consistent manner for all teachers would no doubt facilitate the process. Whilst, as has been pointed out in paragraph 10 above, some modest progress in resolving issues at a prefectural level appears to have been achieved, it is clear that much more remains to be done. The Joint Committee observes that, although the Recommendation does not set out to remove the ultimate issues between the parties from management authority, nevertheless, it does contemplate that, teachers' organizations should be involved in establishing the relevant administrative processes and also the methods for addressing the results of evaluations made in accordance with the provisions of the Recommendation (notably, Paragraphs 49 and 124). To date, that does not appear to have occurred other than on a quite limited basis.

### *Further developments*

7. In pursuance of the request of the Joint Committee to be kept informed of developments, ZENKYO transmitted to it an updated report dated 27 April 2006.

8. The key points emerging from that report may be summarized thus:

- (a) ZENKYO has requested an opportunity for further dialogue with the Ministry for the purpose of pursuing matters of concern raised by the Joint Committee in its 2003 report and its 2005 interim report. To date, that request has not been acceded to.
- (b) ZENKYO asserts that, because the public service system in Japan does not grant a right to labour-management negotiations, the Government is "reluctant to comply with international standards".
- (c) It is further alleged that the Government has steadily pursued an "administrative reform" policy in the public sector, including the further promotion of a performance-related wage system and expansion of its linkage with diligence allowances and the introduction of "special wage increase for excellent performances". In so doing, it has instructed local authorities to apply those concepts to local public service workers, including teachers.
- (d) ZENKYO says that, in the result, the new systems, which were developed and introduced without prior consultation with the relevant teachers' organizations, have now been widely applied at the prefectural level. It is said that, in the implementation of them, the points made by the Joint Committee in its two reports have largely been ignored; and that only limited dialogue with ZENKYO has taken place. It is argued that, in most instances, the evils previously identified by the CEART have not effectively been addressed. The latest report from ZENKYO contains a series of practical illustrations of the continuing problems and what is asserted to be a fairly general reluctance to recognize the concepts expressed in the 1966 Recommendation on the basis that they are "not binding over national laws".
- (e) ZENKYO asserts that, although local education boards are said by the Government to be autonomous, they are basically bound by the policies of the Ministry. In that context the majority of them are therefore adopting a stance that reflects the overtly expressed view of the Government that national laws prevail over the concepts of the 1966 Recommendation and that the relevant issues concern "administrative and operational affairs and do not fall within the requirement of consultation and/or negotiation". ZENKYO contends that the Government is deliberately not encouraging local education boards to observe the relevant international standards.

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- (f) ZENKYO asserts that, in general, what has been said by the Joint Committee has fallen on deaf ears and the implementation of the impugned new systems has had and is having a demonstrably adverse effect on teachers – a situation that it seeks to illustrate by reference to various statistics and a series of what are said to have been specific practical examples.
9. In summary, ZENKYO requested that the Joint Committee urge the Government:
- (1) to carry out education administration with due consideration to the 1966 and 1997 Recommendations, as recommended by the CEART;
  - (2) after analysing the national survey results on the system for “teachers of insufficient ability”, to provide guidance to every prefecture education board and to those local education boards in ordinance-designated cities on means by which appropriate procedures and methods could be adopted and applied in a consistent manner;
  - (3) to provide guidance with regard to the introduction and implementation of any new teacher evaluation system on means by which objectivity, transparency and fairness to meet the standards propounded by the 1966 Recommendation and the CEART report are guaranteed;
  - (4) to recommend that no decision should be made to correlate any evaluation outcome with wages and management of personnel affairs without prior consultation with teachers’ organizations; and
  - (5) to communicate the 2003 CEART report and its subsequent 2005 interim report to all local education boards, encouraging such bodies to respect them and to have constructive negotiation/consultation with teachers’ organizations for the improvement of the evaluation system.
10. ZENKYO asked that a delegation including senior officers of the joint secretariat be sent to Japan in an endeavour to assist in resolving the present perceived problems.
11. In accordance with its procedures, the CEART referred the latest ZENKYO report to the Government for its response.
12. Reference has earlier been made to the communication received from the Nakama Union, Osaka Prefecture. As was indicated, the complaints made in large measure parallel those in the ZENKYO allegation. The Government has responded by letter of 30 October 2006 in which it considers that the assertions by the Nakama Union should be taken up after the larger issue of the overall direction of the personnel management system for teachers in Japan has been determined. The Government also contests the right of the Nakama Union to bring matters before the Joint Committee, since the case of the union is a management and administrative matter of a local education authority which is not subject to negotiation between administrations and groups of teachers under Japanese law. The Joint Committee agrees with the Government on the first point, namely that the Nakama Union assertions should be taken up in the wider context of the issues raised by ZENKYO. At the same time, the Joint Committee disagrees with the Government’s assertions concerning the local character of the matters before it (and by extension the receivability of allegations from a local teachers’ organization), pointing out in this respect that, according to the terms of its interim report of 2005 (CEART/INT/2005/1, paragraph 5), “It was unable to accept the proposition of the Government that what was involved was simply a matter of local administration and management, falling outside the ambit of operation of the Recommendation.” Moreover, the Joint Committee had previously (CEART/7/2000/10, paragraph 57) accepted that allegations of this kind could be received from any formally constituted labour organization within a national setting, the word “national” being used to distinguish such organizations from international organizations of teachers.
13. Shortly prior to its Ninth Meeting (on 23 October 2006), the Joint Committee received detailed observations from the Government of Japan concerning the further ZENKYO assertions.
14. The Government asserted that ZENKYO represented only a minority of the teachers in Japan and that the views expressed by it were not shared by the other relevant unions which, collectively, represented over 30 per cent of the teaching force, by way of contrast with a ZENKYO membership of the order of 7.3 per cent.
15. However, the Ministry stated that dialogue on the relevant issues had occurred between it and ZENKYO on 15 September 2006 and that this had been followed by the provision by the Ministry of Information on the interim report of the Joint Committee and its position to all the prefectural education boards and those of government-designated cities in Japan.

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16. The Ministry stressed that it was the prerogative of individual boards to set up and implement personnel management systems and that any suggestion that it had acted to restrict local decision-making prerogatives was incorrect. It argued that the statistics indicated that the number of teachers declared incompetent was quite small in relation to a total workforce of the order of 900,000 and that any apparent increase in numbers was simply the product of a steadily increasing implementation of new procedures across the system.
  17. The Ministry further supplied a schedule that set out to demonstrate that virtually all management systems that had been set up to address the question of teachers considered to be incompetent had provided for a process whereby the teacher concerned had both a right and an opportunity to make representations concerning any suggestion of incompetence, given that the precise processes appear to vary to some extent in detail from district to district.
  18. The Ministry argued that there is no demonstrated correlation between the implementation of the new procedures and any increase in the number of teachers on sick leave or leaving during probationary periods. It contends that certain specific illustrations relied on by ZENKYO do not support its allegations when these are considered in context.
  19. The Government emphasized its commitment to the due observance of the concepts of the 1966 Recommendation but reiterated its earlier contention that the matters complained of as to teacher incompetence and merit assessment are essentially matters of local management as to which boards have no obligation to enter into dialogue with the relevant unions, although, in practice, they normally do consult widely concerning proposed new measures.
  20. The Joint Committee understood that the Ministry was in accord with ZENKYO as to the proposition that a Joint Committee-sponsored mission visit Japan and examine the situation as it actually exists. In the course of its observations the Ministry commented that "MEXT would like the CEART to interview directly each education board in the country about the process they intend to take in the assessment of teachers of insufficient ability and the new teacher evaluation system". It also urged that, in the course of so doing, *all* teacher organizations be interviewed concerning their positions relating to the matters in issue.

### *Recommendations*

21. The Joint Committee recommended that the Governing Body of the ILO and the Executive Board of UNESCO:
  - (1) take note of the situation as described above;
  - (2) communicate to the Government of Japan the commendation of the Joint Committee on the positive steps that have been taken to date in entering into dialogue with ZENKYO, advising prefectures about the Joint Committee's report, and issuing a constructive invitation referred to above; and
  - (3) take note of the intention of the Joint Committee, supported by its secretariat, to undertake a mission to investigate the situation as proposed by the Government of Japan and by ZENKYO, and make proposals for resolution of the identified problems to all concerned parties.

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## Appendix III

### **Message from the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) on the occasion of World Teachers' Day 2006**

On the 40th anniversary of the adoption of the ILO/UNESCO Recommendation concerning the Status of Teachers, 5 October 1966, the Joint Committee of Experts (CEART), composed of independent experts appointed to monitor and promote the application of the 1966 and 1997 Recommendations on the status of teachers, strongly supports the theme chosen to commemorate World Teachers' Day 2006: Quality Teachers for Quality Education.

The 1966 Recommendation is an international standard designed to highlight the importance of the role of the teaching profession in promoting education in its most basic dimensions. The Recommendation concerning the Status of Higher Education Teaching Personnel, which was adopted by UNESCO in 1997, extends the application of international standards to higher education teaching staff. On this occasion, the CEART also underlines the role of teachers and researchers of higher education in ensuring quality education. Both of these standards establish good practice guidelines for almost all the key questions concerning teachers, from pre-primary to higher education.

Much has changed throughout the world since the 1960s but, as the Joint Committee said in 1988, one truth endures: the status of teachers depends on the status of education, just as the status of education depends on the status of teachers. Quality education for all cannot be achieved without a high professional standing, rigorous initial and continuing teacher education, good teaching and learning conditions, and engagement of teachers in education reform decisions through effective and institutionalized social dialogue. These are the core principles of the 1966 and 1997 Recommendations. They are the basic guide posts for the future of teaching and they must apply to all teachers in developed and developing countries alike.

At all levels of education, teachers are at the very heart of the efforts made to establish the common foundations for the acquisition of skills, knowledge, lifelong learning, culture, respect for constructive achievements and regard for codes of conduct that are essential for the economic, social and cultural progress of society. In so many respects, the future of the world is in the hands of teachers.

Accordingly, on this special day, the Joint Committee urgently appeals to all members of educational communities throughout the world – governments, teachers' organizations, private education providers and businesses, parent-teacher and student associations – to enter into frank and honest social dialogue in support of a high status for teachers and the promotion of quality education at all levels of education.

Ms Anne-Lise Høstmark Tarrou,  
Chairperson,  
CEART.

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## Appendix IV

### Draft agenda of the Tenth Session of the Joint Committee

1. Election of Officers and adoption of the agenda
2. Progress made in promotion and use of the 1966 and 1997 Recommendations
  - (a) Review of reports and other sources of information in accordance with the mandate of the Joint Committee
  - (b) Review of ILO and UNESCO joint or separate activities to promote the two Recommendations
  - (c) Methodology and procedures of the Joint Committee
3. Monitoring of the application of the ILO/UNESCO Recommendation concerning the Status of Teachers, 1966
  - (a) Teacher education at all levels, and related topics
  - (b) Employment and careers, teacher salaries, teaching and learning conditions
  - (c) Social dialogue
4. Monitoring of the application of the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, 1997
  - (a) Academic freedom
  - (b) Self-governance and collegiality
5. Monitoring of a high priority topic related to one of the Recommendations to be defined by the ILO and UNESCO
6. Consideration of allegations received from teachers' organizations
  - (a) Allegations received since the Ninth Session
  - (b) Allegations considered at the Ninth Session
7. Draft agenda for the Eleventh Session
8. Other questions