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**REPORT BY THE DIRECTOR-GENERAL ON THE EIGHTH 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 162 EX/Decision 3.2.2, the Director-General hereby submits to the Executive Board the report of the eighth session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), Paris, 15-19 September 2003 (CEART/8/2003/11)<sup>1</sup> attached to the present document. The findings of this experts' report are summarized in the present document.

Decision proposed: paragraph 14.

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<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 apply the 1966 Recommendation concerning the Status of Teachers and the 1997 Recommendation concerning the Status of Higher Education Teaching Personnel. The Committee, CEART, then produces a report making recommendations to the Executive Board of UNESCO and the Governing Body of ILO on actions to increase application. CEART's report of its eighth session, held at UNESCO from 15 to 19 September 2003, is annexed to the present document (CEART/8/2003/11).
2. The main body of CEART's 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. Issues treated include teacher education, education for all (EFA), HIV/AIDS, gender, information and communications technology, policy-oriented statistics, academic freedom, employment structures, academic tenure and social dialogue. The social dialogue is the consultation by governments with teachers and their organizations in the undertaking of education reforms and conditions of service. CEART's report also deals, in Annex 2, with allegations of non-application of provisions of the 1966 Recommendation made against governments by teachers' organizations.
3. The intent of CEART's report is to promote constructive change via UNESCO and the ILO in Member States to improve the status of teachers. The report is issued in English, French and Spanish; a translation into Portuguese was made of the 2000 report, and translations into at least two other languages are planned for the 2003 report.
4. For information, the relation between the mandate of CEART and that of the Committee on Conventions and Recommendations of the UNESCO Executive Board (CR) is summarized in the Explanatory Note in the Annex to this document.

## Programmatic conclusions and recommendations

5. CEART's report identifies as the pre-eminent teacher issue the current and projected crisis-level world teacher shortage, due to a large complex of negative phenomena principally unattractive education and labour conditions while noting that minimum standards for acceptable conditions are set forth in the two Recommendations. CEART's report also earmarks as negative the "fragile" use of social dialogue in education: "Without full involvement of teachers and their organizations – those most responsible for implementing reform – in key aspects of educational objectives and policies, education systems cannot hope to achieve quality education for all". (CEART/2003/8/11, Executive Summary, para. vi). In addition, the CEART identifies academic freedom, where non-observed, as being "not only a rights-and-responsibilities issue but also a development issue, bringing down the quality of higher education institutions ... from commitments to such goals as Education for All and sustainable development, and exacerbating ... brain drain" (para. xii).
6. Among CEART's recommendations for policy action by UNESCO, ILO or both, are:
  - (a) urging "different teacher education providers, and appropriate ministries dealing with education and training, ... to refer to the Recommendations for guiding principles and minimum standards for planning, implementing and assessing their teacher education programmes and for defining their own national and regional norms and standards of quality" (para. vii). In essence, CEART points out that Member States do not have to

search for international policies covering complex teacher-issues; the policy is already there in the two instruments, even as concerns higher education employment structures;

- (b) building or strengthening “bridges among teacher education providers faced with the problem of dealing with massive shortages of qualified teachers” (para. vii);
- (c) creation by Member States of “effective bipartite and where appropriate, tripartite structures for dialogue involving the principal stakeholders in education so as to improve the quality of education” (para. vi);
- (d) situating “abstract discussions of quality in EFA against the baseline of discussion of existing teacher qualifications, levels of teacher training, and standards for certification, to bring these into realistic relationship to the EFA task at hand” (para. xi);
- (e) regarding HIV/AIDS, “ILO and UNESCO should collaborate in disseminating and implementing the document, An ILO code of practice on HIV/AIDS in the world of work” to help communities deal with the situation in the educational work place (para. xi);
- (f) development by UNESCO of “a global study [on academic freedom], ... emphasizing good practice or improved practice throughout” (para. xii).

### **Allegations**

7. CEART endorses “the proposal under discussion within UNESCO to carry out a new approach to monitoring a selective number of UNESCO’s international standards including the 1966 Recommendation. The proposal to request Member States of UNESCO to report periodically on a staggered schedule in relation to well-defined priority themes would provide a welcome new source of information for the Joint Committee’s mandate” (para. 76).

8. Since its seventh session (September 2000), CEART received seven communications from individuals or teachers’ organizations relating to the application of the 1966 Recommendation. Of those, two were properly receivable, according to CEART criteria and procedures. CEART deemed the rest to be non-receivable according to those criteria and procedures, although these five allegations were redirected, where appropriate, for consideration by other competent bodies.

9. The first new received allegation concerned Bangladesh, and was deferred for consideration in accordance with the applicable procedures. It was still in initial processing at the time of the eighth session.

10. The second new receivable dossier was an allegation of a failure by educational authorities in Japan to consult, negotiate or cooperate with teachers’ organizations in accordance with the various provisions of the 1966 Recommendation. The allegation also stated that recently introduced systems related to teachers who were perceived to be incompetent, and the scheme for rewarding of teachers considered to have demonstrated excellence in their work, were in discord with specific provisions of the 1966 Recommendation. CEART’s summary of the substance of the allegation and CEART’s findings and recommendations to the competent bodies of the ILO and UNESCO and to the government and teachers’ organization of Japan are set forth in Annex 2 to the CEART report.

11. Further developments in allegations received at CEART’s seventh session in 2000 were also reviewed: from the Educational Workers’ Union of Burundi (STEB); from Education International (EI) and the Ethiopian Teachers’ Association (ETA); and from the Osaka Fu Special English Teachers (OFSET) of Japan. Details are found in Annex 2 of the CEART report.

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

12. The Director-General notes with satisfaction the work of this Committee, which brings to UNESCO the expertise of a genuinely joint education/labour inter-agency monitoring mechanism. In this context, he appreciates the pragmatic nature of the report as concerns fundamental programmatic educational issues; specifically, he appreciates the manner in which the report suggests ways that UNESCO, Member States and teachers' organizations can bring the guidelines set forth in the two Recommendations into current efforts to achieve EFA commitments, to assure education of quality under difficult and complex circumstances, and to stem the teacher shortage.

13. The Director-General has also noted CEART's review of the allegations contained in Annex 2, and its willingness to actively cooperate with and support the Organization's plans for periodic reporting of the 1966 Recommendation (para. 76).

### **Proposed draft decision**

14. 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 162 EX/Decision 3.2.2,
2. Having examined document 169 EX/7,
3. Deeply concerned about the continuing decline of the overall status of teachers as indicated in the report of the Joint ILO/UNESCO Committee,
4. Takes note of the report of the eighth session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART/8/2003/11);
5. 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 the year 2006 for submission to the Executive Board;
6. 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/8/2003/11**

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

1. This relation 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 Applications 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 relation 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.

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, not limited to personnel.

6. Also in regard to content, the 1966 and 1997 Recommendations contain provisions 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 Eighth Session of CEART (169 EX/7), and the full CEART report, which is annexed to 169 EX/7, to the work of the Committee on Conventions and Recommendations (CR)?**

7. The main part of the Executive Board document 169 EX/7 and of the CEART report, CEART/8/2003/11, deals with educational programmatic topics related to the application or non-application of the provisions of the two Recommendations in Member States (cf. the Executive

Summary, paras. i-xiv). Another part of the full CEART report deals with the examination of allegations, treated in Annex 2 of CEART/8/2003/11, and referred to in document 169 EX/7.

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.

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

CEART/8/2003/11

## Report



Eighth Session  
Paris  
15–19 September 2003



United Nations Educational,  
Scientific and Cultural  
Organization



International  
Labour  
Organization

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**

Eighth Session

Paris, 15-19 September 2003

### **Report**

ILO - Geneva

UNESCO - Paris



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#### Annex 1:

Background Documents for the Eighth Session

#### Annex 2:

Allegations Received from Teachers' Organisations:

**A.** Allegations received since the Seventh Session (September 2000)

- 1. Allegation received from the Bangladesh Federation of Teachers' Associations (BFTA)*
- 2. Allegation received from the All Japan Teachers and Staff Union (ZENKYO)*

**B.** Further Developments in Allegations Previously Received

- 1. Allegation received from the Educational Workers' Union of Burundi (STEB)*
- 2. Allegation received from Education International (EI) and the Ethiopian Teachers' Association (ETA)*
- 3. Allegation received from the Osaka Fu Special English Teachers (OFSET) of Japan*

#### Annex 3:

Agenda of the Ninth Session of the Joint Committee

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# Executive Summary

## The Nature of the Report

**i.** This report summarizes the analysis of major issues affecting the current status of teaching personnel worldwide 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>

## Key Issues

**ii.** The Joint Committee's main preoccupations were with teacher education, employment and working conditions, social dialogue in education, and various aspects related to higher education. Within these themes the Joint Committee has paid special attention to the implications of Education For All, teacher indicators, the impact of HIV/AIDS on teachers and educational systems, gender issues and education for teachers, the implications and implementation of information and communication technology (ICT), academic freedom and employment structure, tenure and related issues in higher education.

**iii.** The Joint Committee also considered a series of allegations of non-observance of the 1966 Recommendation, and made recommendations to the Governing Body of the ILO and the Executive Board of the UNESCO. Its findings are set out in Annex 2.

## Conclusions Regarding the Current Situation

**iv.** The most serious issue facing the teaching profession is the actual or impending shortage of qualified teachers. The growing demand for teachers caused by Education For All, combined with an aging teacher population in developed countries, will create shortages of at least 15 million teachers in the next decade. Social dialogue in education remains extremely fragile. This is due to the apparent reluctance of public authorities to engage in meaningful consultations with teacher organizations in a context of limited budgetary resources. Although the information before the Joint Committee discloses progress in some areas such as the introduction of tertiary qualifications for new teachers in an increasing number of countries, nevertheless the issue of teacher qualifications remains of concern in many developing countries. In the area of higher education security of tenure or its functional equivalent are common institutions, but a growing resort to part time and temporary employment constitutes a threat to academic freedom.

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<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 study 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. It then makes 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.

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## Sources of Information

v. The Joint Committee had before it a wide range of information upon which to arrive at its conclusions. A complete list of sources upon which it relied is found in Annex 1. An additional source of information was an informal session during the CEART meeting with representatives from three international teachers' organizations and representatives of the Organization for Economic Cooperation and Development (OECD) and the Voluntary Service Overseas (VSO).

## Summary of major points and recommendations, excerpted from the main text

### vi. Social Dialogue in Education

- Social dialogue is the glue for successful educational reform. Without full involvement of teachers and their organizations – those most responsible for implementing reform – in key aspects of educational objectives and policies, education systems cannot hope to achieve quality education for all.
- Despite recent improvements in some countries, the Joint Committee notes that social dialogue in education remains a fragile process of decision-making in most Member States.
- Teachers and teacher organizations are not generally consulted on key education reforms... Obstacles include the unwillingness of governments to exchange views with teachers' organizations and the lack of capacity of these groups.
- ...studies reveal a wide gap between ratifications of international standards and the principles of dialogue and effective practice at national level. Effective and sustainable social dialogue remains to be constructed in most Member States.

### Recommendations

- Member States [should] create effective bipartite and where appropriate, tripartite structures for dialogue involving the principal stakeholders in education so as to improve the quality of education.
- The World Bank and other international financial institutions, as well as the donor community in Member States should systematically use effective social dialogue mechanisms with governments, teachers' organizations and other stakeholders in the process of deciding on educational reform.
- The ILO and UNESCO should assist teachers' organizations and educational management to develop their capacity for effective and sustainable social dialogue, notably by developing promotional materials or other tools which explain and promote relevant provisions of the 1966 and 1997 Recommendations.

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## **vii. Teacher Education – Initial and Continuing**

- There is a great diversity of teacher training institutions.
- There is as well diversity of duration of training ranging from up to five years in some countries, to virtually no training in others.
- Significant numbers of students enter teacher training when this was not their first or even second career choice.
- Existing teacher education providers are not able to take on massive numbers of new trainees needed to fill teacher shortages, leading to the employment of untrained ‘teachers’.
- At the higher education level, there is an absence of pedagogic training for teaching personnel in most countries.

### **Recommendations**

- different teacher education providers, and appropriate ministries dealing with education and training, are urged to refer to the Recommendations for guiding principles and minimum standards for planning, implementing and assessing their teacher education programs and for defining their own national or regional norms and standards of quality;
- to build and/or strengthen bridges among teacher education providers faced with the problem of dealing with massive shortages of qualified teachers.

## **viii. Employment, Teaching and Learning Conditions**

- ...at least in the pre-tertiary sectors, there is limited evidence of any general improvement in the status of teachers and their overall conditions of service.
- Recruitment remains difficult in those [developing] countries, and workloads and pupil-teacher ratios continue to be unacceptably high. This situation has led to the undesirable practice of recruitment of inadequately trained “volunteer teachers” or truncated training programmes. The Joint Committee deplors these trends, which undermine the professionalism of teaching.

### **Recommendations**

- ...it is essential to provide adequate, compensatory in-service and continual training programmes to avoid further deterioration in teaching standards and educational quality.

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## ix. ICT and Teaching

- Teachers are... crucial to the successful use of ICT. They will be required and should be encouraged to assume new roles and responsibilities for ICT to improve the quality of education and access to education by learners in informal, non-formal and adult education settings.
- A crucial element in the assumption of new responsibilities for teachers is the inclusion of extensive training in the use of ICT in initial teacher education.

### Recommendations

- Teachers already in the profession should have the right to adequate time and resources for continual professional development to acquire and maintain ICT skills.
- Teachers should have adequate time to plan the introduction of ICT into their pedagogical practice to ensure high quality and appropriate learning.
- To ensure that teachers, educational authorities and other stakeholders enjoy the maximum benefits from the use of these technologies, all should be involved in information sharing, consultation and negotiations, according to the issue involved.

## x. Gender and Education

- In most countries, the percentage of women among teachers has continued to rise. In 2000, 80% of teachers in developed countries were women; 92% of teachers in countries in transition were women; and 62% of teachers in developing countries were women.
- In general, women outnumber men at the lower levels of education (early childhood and primary school levels) which are usually associated with lower levels of remuneration.
- Although there is increasing participation of women in most education systems, especially as teachers, they generally remain underrepresented in management positions.
- The major barriers to women's participation in senior level management in all levels of education include: lack of flexibility in working hours; male dominated appointing and promoting bodies; shortage of women staff with higher academic and professional qualifications; and, comparatively higher work/teaching load.

### Recommendations

- ...the ILO and UNESCO should either commission a study of trends in the feminization of the teaching profession in developing countries... for the next meeting of the Committee, or, as appropriate, extend the expected work on indicators to this effect.
- Efforts should be made to obtain data on barriers to women's participation as managers in education, as well as strategies used by countries and institutions to promote women to senior management positions in schools and higher education institutions...

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- ...the Joint Committee requests teachers' organizations and governments to call attention to the fact that normative instruments concerning teachers set minimum standards for responsibilities as well as rights, and that these standards should be used in dealing with gross abuses by teachers of students with regard to both general violence and sexual violence...

## **xi. Education for All (EFA) and HIV/AIDS**

- In view of the well documented declining status of teachers world-wide and the growing flight from the profession, ...as many as 35 million additional primary school teachers [will be] needed by the year 2015 if the basic UPE goal is to be met.
- In addition, the Joint Committee noted the extremely low or non-existent status of teachers in the non-formal sector, where over one billion men and women need to be made literate.
- ...the high rates of AIDS-related deaths in some countries is outpacing the number of new entrants into the profession, prolonging countries' dependence on unqualified teachers.
- ...the ripple effects of HIV/AIDS are spiralling: orphaning, absenteeism, impoverishment of families or communities who normally would support schools, collapse of quality in education, all impacting negatively on EFA.

## **Recommendations**

- ...Member States should be given information regarding existing national good practices in how to make difficult resource allocation choices to improve higher education and feed it into EFA activities.
- ...governments and international organizations should situate abstract discussions of quality in EFA against the baseline of discussion of existing teacher qualifications, levels of teacher training, and standards for certification, to bring these into realistic relationship to the EFA task at hand.
- ILO and UNESCO should collaborate in disseminating and implementing the document, *An ILO code of practice on HIV/AIDS and the world of work* and its ten key principles.
- For teacher morale, ILO, UNESCO and HIV/AIDS partners should give higher priority than at present to disseminating upbeat information, where it exists, regarding HIV/AIDS within the teaching profession, for example, citing instances of significant numbers of HIV-positive teaching staff who live and function with the situation.

## **xii. Higher education: Academic Freedom and Related Issues**

- ...academic freedom lies at the core of the mission of higher education, pertaining both to human rights and to overall development policies in today's societies.



- 
- ...academic freedom is an especially complex issue, because it requires a proper balance of rights and responsibilities. Problems range over a broad spectrum, from ...instances where universities have undergone extreme repression by governments to... instances of abuses by some higher education teaching personnel of academic responsibilities.
  - Non-observance of academic freedom and other provisions of the 1997 Recommendation is not only a rights-and-responsibilities issue but also a development issue, bringing down the quality of higher education institutions... for commitments to such goals as Education for All and sustainable development, and exacerbating... brain drain.

## Recommendations

- ...the [ILO and UNESCO], within their respective mandates and in the context of the 1997 Recommendation, [should] demand the observance of the following principles as prerequisites for ensuring the accreditation of higher education institutions:
  - o observance of... academic freedom as defined in the 1997 Recommendation;
  - o qualifications of academic personnel according to international standards;
  - o existence of personnel and conditions favourable to research; and
  - o security of employment in the profession, including tenure.
- These should be accompanied by objective assessment mechanisms (peer evaluations) in co-operation with the UNESCO Global Forum on International Quality Assurance, Accreditation and the Recognition of Qualifications in Higher Education on issues related to the rights and status of higher education teaching personnel.
- ...the Joint Committee requested the development of a global study [on academic freedom]... emphasizing good practice or improved practice throughout.

### xiii. Employment Structures and Tenure in Higher Education

- ...tenure is one of the major safeguards for academic freedom, which in turn is a significant characteristic of a democratic society. Tenure protects academic staff from reprisal for their political views or their positions on academic issues. It also is designed to protect universities from interference through appointments motivated by political objectives.
- ...short-term and part-time contracts are the biggest single challenge to tenure. Though comprehensive and reliable international statistics are lacking, it appears that the proportion of academic staff under these contracts is growing, and these arrangements are common in many countries.
- Female staff are often concentrated in fixed-term or part-time contracts. Similar issues arise in relation to minority rights.
- ...university faculty who enjoy the protection of tenure or continuing employment are expected to follow ethical principles of professional conduct... Many countries recognize that an academic can be dismissed for just cause, subject to decisions by an arbitrator, an independent tribunal or court.

- 
- ...one of the most contentious issues facing permanent higher education staff is their status in cases of financial exigency or programme redundancy. This issue is also important for part-time and temporary staff... the increasing numbers of such situations requires that faculty should be subject to layoff only in cases of genuine and demonstrable financial crisis as demonstrated by conventional accounting principles and if no other alternatives exist.
  - Distance and trans-national education are growing responses to increasing demand for higher education services... there is some evidence that faculty in many of these programmes do not have similar guarantees of stable employment, i.e. are on part-time or other contingent contracts.

## Recommendations

- Member States, assisted as appropriate by the ILO and UNESCO, should undertake to collect and share best practices on procedures for appointment, promotion assessment and termination of staff as a basis for future policies and practices to improve higher education.
- ILO, UNESCO and international financial institutions should adhere to the terms of the 1997 Recommendation in their programmes to support and reform higher education systems and institutions.
- Particular attention should be given to ensuring proper employment structures, including application of tenure or its functional equivalent, so as to encourage gender and ethnic diversification of higher education institutions.

## xiv. Teacher Indicators

- UNESCO and ILO should continue with their considerable work in developing and expanding key teacher indicators relevant to the status of teaching personnel, update these indicators and profiles on a permanent basis... and increasingly explore ways that these indicators can be actively used by governments, teachers' associations, and teachers themselves, to produce positive change.
- UNESCO and ILO should develop a corresponding methodology and set of indicators for the higher education level.

## Recommendations

- UNESCO and ILO should continue with their considerable work in developing and expanding key teacher indicators relevant to the status of teaching personnel, update these indicators and profiles on a permanent basis, review and include a limited number of other relevant indicators which are not presently available to reflect changing conditions in education and the teaching profession and increasingly explore ways that these indicators can be actively used by governments, teachers' associations, and teachers themselves, to produce positive change;

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- given the current and projected shortage of teachers and the need of hard-pressed countries to sharply increase the number of teachers, ILO and UNESCO should endeavour to undertake the following studies:

- for Sub-Saharan Africa: a study of voluntary teachers and paraprofessionals and their impact on the quality of education, the status of teachers, and the financial efficiency in the education system;
- the impact of health issues (HIV/AIDS, Tuberculosis) on the strength and structure of teaching service;
- the prevalence and impact of multiple jobs on teachers;
- a study of the contract status of higher education teaching personnel, because that the issue directly relates both to quality, or lack of thereof, in higher education and to abuses of professional and working conditions.

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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 Eighth Session in Paris at the United Nations Educational, Scientific and Cultural Organisation (UNESCO) headquarters, from 15 to 19 September 2003.

2. In the Report of its Seventh Session in Geneva in 2000 the Joint Committee recorded that its mandate had been extended to include responsibility for monitoring and promoting not only the Recommendation concerning the Status of Teachers, 1966 (hereafter, the 1966 Recommendation), but also 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) Review of reports and other sources of information in accordance with the mandate of the Joint Committee to report on the application of the joint ILO/UNESCO Recommendation, 1966;
- (c) Review of the ILO and UNESCO joint or separate activities to promote the application of the joint ILO/UNESCO Recommendation, 1966;
- (d) Review of reports and other sources of information in accordance with the mandate of the Joint Committee to report on the application of the UNESCO Recommendation, 1997;
- (e) Review of the ILO and UNESCO joint or separate activities to promote the application of the UNESCO Recommendation, 1997;
- (f) Review of further progress made in relation to the initiatives regarding improved teacher indicators;
- (g) Consideration of Allegations Received from teachers' organisations since the Seventh Session;
- (h) Report of outcomes of allegations considered at the Seventh Session;
- (i) Agenda for the Eighth Session;
- (j) Other questions.

4. The present members of the Joint Committee, designated by the Governing Body of the ILO and by the Director-General of UNESCO, with a term of office extending to 31 December 2006, 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.

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

**Ms Lilia S. Garcia** (Philippines), President, the University of Rizal System (URS), and former President, Philippines Normal University.

**Dr (Ms) Anne-Lise Hostmark-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 of South Australia.

**Dr Mark Thompson** (Canada), Professor Emeritus 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. Sega Seck Fall**<sup>2</sup> (Senegal), former Director, Graduate Institute for Teacher Training, Cheikh Anta Diop University of Dakar, and former Chairperson of the Committee on Teachers' Questions, National Commission on the Reform of Education and Training.

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

**Dr Nada Moghaizel Nasr** (Lebanon), Professor, University of Saint Joseph of Beirut, and member, Lebanese Institute of Educators.

**Prof. Earle H. Newton** (Barbados), Director, Education Evaluation Centre, University of the West Indies, Cave Hill.

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

5. The Joint Committee designated the following officers:

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

*Vice-chairperson:* Prof. Earle H. Newton

*Reporters:* Prof. (Ms) Konai Helu-Thaman  
The Hon Justice L. Trevor Olsson  
Dr Mark Thompson

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<sup>2</sup> The death of Mr. Fall was announced during the Eighth Session.

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

*ILO*: Mr Bill Ratteree, Education Sector Specialist, Sectoral Activities Department, (SECTOR); Mr Patrick Carrière, Senior Legal Specialist, Freedom of Association Branch, International Labour Standards Department (NORMES); Ms Amrita Sietaram, Workers' Activities Specialist, Bureau for Workers' Activities (ACTRAV); Ms Josée Laporte, Programme and Operations Officer, ILO Global Programme on HIV/AIDS and the World of Work (ILO/AIDS); and Ms Victoria Hinch-Majuva, Administrative Assistant, SECTOR.

*UNESCO*: Mr Komlavi F. Seddoh, Director of the Division of Higher Education; Mr Richard W. Halperin, Chief, Section for Teacher Education; Ms Mariana Patru, Programme Specialist, Section for Teacher Education; Mr Lucio Sia, Programme Specialist, Section for Teacher Education; Mr John Donaldson, Senior Legal Officer, Chief of General Legal Affairs Section (LA); Mr Qian Tang, Director of the Executive Office, Education Sector; Ms Stamenka Uvalic-Trubic, Chief of Section, Section for Access, Mobility and Quality Assurance; Ms Dulce Borges, Senior Programme Specialist, Section for Preventive Education and Sport, Division for the Promotion of Quality Education; Mr Steve Packer, Deputy Editor, Dakar Follow-up, Executive Office; Mr Albert Motivans, ED Policy Research Officer, UNESCO Institute for Statistics; Mr Eric Allemano, Research Manager HIV/AIDS & Education, IIEP, Ms Corina Parlea, assistant to the Chief of Section for Teacher Education; Ms Myra Hassine, Section for Teacher Education; Ms Ji-woon Bae, Section for Teacher Education.

7. On behalf of the Director-General of UNESCO, Mr John Daniel, Assistant Director-General for Education, opened the Eighth Session by welcoming the Joint Committee and the ILO secretariat to UNESCO. Citing the estimated projected shortage of teachers by the year 2015 as ranging from 10 million to 35 million, he underscored the fundamental relation of the status of teachers to the shortage issue as well as to the achievement of Education for All commitments. He encouraged the Joint Committee to identify those key policy issues which UNESCO and ILO should consider over the next biennium, and referred to the fact that he had presented the CEART to ECOSOC last year as an example of good inter-agency co-operation within the United Nations system.

8. Mr Ratteree welcomed the members of the Joint Committee on behalf of the Director-General of the ILO. He remarked that the Eighth Session marked 35 years since the first Session was held in 1968. The original concerns for an improved status of teachers to reflect the need for quality education in Member States had, if anything, been reinforced by the generalized shortage of teachers around the world. Special measures were required in almost all countries to meet this challenge, one that generated high expectations for the Joint Committee's analysis and recommendations as part of efforts made by the ILO, UNESCO, other specialized organizations and Member States themselves to resolve this problem satisfactorily. The Joint Committee continued to innovate in its work in several ways: once again inviting the views of international teachers' organizations, and those of intergovernmental and non-governmental organizations with a special interest in teachers' issues; creating special thematic working groups to deepen its analysis and conclusions; and in dealing with key issues of academic freedom and tenure in higher education, both central to its mandate since 2000 to monitor and promote application of the 1997 Recommendation. In line with concerns over generalized shortages of teachers, the ILO would embark on an ambitious action programme concerning teacher shortages in 2004-2005, leading to a major international report to be presented to the 2006 Session of the Joint Committee.

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9. Mr Seddoh, who had just returned to UNESCO Headquarters from a Dakar, Senegal, work session on national capacity-building of teacher education in Sub-Saharan Africa, told the Joint Committee that fundamental questions covered by the two Recommendations were actively raised as central to how to improve the situation. He also described the posthumous tributes, at that work session and throughout Senegal, to the late Mr Séga-Seck Fall, Chair of the Joint Committee for more than a decade, and his dedication to improving the lot of teachers.

10. Mr Halperin informed the Joint Committee that its prioritised policy recommendations at the Seventh Session had been essential in forming the current status of teachers' programme in both UNESCO and ILO; he looked forward to the Eighth Session's outcomes which should continue to help guide the two Organizations in how to deal with thorny problems covered by the 1966 and 1997 Recommendations.

11. In the absence of the former Chairperson, Professor Fall, the acting Chairperson, Ms Hostmark-Tarrou, welcomed the members, especially the two newest members. The creation of working groups on priority themes concerning the Joint Committee's mandate constituted a welcome innovation to enable in-depth consideration of these themes based on the documentation prepared by the secretariat. More than ever, education had become a core factor in people's well-being and changes in society around the world. The influence of such factors as globalization and new information and communication technologies (ICT) increasingly impacted on education and teachers at all levels. These developments made the work of the Joint Committee even more important.

12. The Chairperson announced with great regret that Mr Fall recently passed away and called for a minute of silence in honour of his memory. Mr Fall had served as member of the Joint Committee for more than 25 years, and as its Chairperson since 1991. His leadership and great personal and professional qualities would be sorely missed. A message of condolence would be addressed to Mr Fall's family on behalf of the Joint Committee.

## Methodology of the Joint Committee

13. To improve its analysis of major themes related to the 1966 and 1997 Recommendations, the Joint Committee created the following working groups at the Eighth Session:

- **Social Dialogue in Education:** Ms Gachukia, Ms Gallart, Ms Hostmark-Tarrou, Ms Moghaizel-Nasr
- **Allegations:** Ms Helu-Thaman, Mr Olsson, Mr Thompson
- **Teacher Indicators:** Ms Garcia, Mr Newton, Mr Ryabov
- **Higher Education - Academic Freedom:** Ms Eliou, Ms Garcia, Ms Hostmark-Tarrou, Ms Moghaizel-Nasr, Mr Ryabov
- **Higher Education - Employment Structures and Tenure:** Ms Gallart, Ms Helu-Thaman, Mr Olsson, Mr Thompson
- **EFA and HIV/AIDS:** Ms Gachukia, Mr Newton
- **Teacher Education:** Ms Eliou, Ms Garcia, Ms Moghaizel-Nasr, Mr Ryabov
- **Employment/Teaching & Learning and ICT:** Ms Hostmark-Tarrou, Mr Olsson, Mr Newton, Mr Thompson
- **Gender:** Ms Gachukia, Ms Gallart, Ms Helu-Thaman

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

## Trends

14. The Joint Committee considered a wide 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 of UNESCO on specific items of the 1966 and 1997 Recommendations;
- (c) reports by national organizations representing teachers and employers, and by intergovernmental and international non-governmental organizations.

The full range of documents on which the Joint Committee has based its monitoring of the 1966 and 1997 Recommendations is contained in Annex 1.

15. Following the precedent set at its Seventh Session, the Joint Committee invited representatives of international teachers' organizations (EI, WCT and WFTU), the OECD, and a non-governmental organization, Volunteer Service Overseas (VSO), to attend one of its sittings for an exchange of information and views on issues arising from the two Recommendations. While each organization presented its own position on these matters, a number of common themes emerged.

16. The Joint Committee was told the following:

- a. a shortage of teachers either exists or will soon exist in most regions of the world. In developing nations, implementation of Education for All (EFA) requires the addition of a large number of teachers to serve millions of new students. In the advanced economies, the impending retirement of teachers hired in response to increasing enrolment in the twentieth century will also cause increased demand for new teachers. Governments may be tempted to meet these demands by increasing class sizes or lowering the requirements for entry to the teaching profession. Neither policy corresponds to the principles of the 1966 Recommendation nor will they promote quality education;
- b. relative to other professionals and skilled workers, teachers' salaries deteriorated in the last years of the 20<sup>th</sup> century. In addition, their working conditions seem to have become worse. Research in three developing nations indicated that teachers' morale was fragile and declining, especially since 1985. Blanket formulas for comparing teachers' salaries can lead to distorted views of local labour markets;
- c. teachers are seldom consulted in the formulation and implementation of education policies, contrary to the principles of the Recommendations. These practices contribute to declining morale and create unnecessary barriers to recruitment and retention of teachers;



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- d. in post-secondary education, the increasing use of short-term contracts to fill faculty vacancies undermines the quality of education and the capacity of universities and other institutions;
  - e. the spread of HIV/AIDS continues to cause crises in educational systems Teachers' organizations are ready to assist in combating this problem, but they have encountered a lack of coordination among governments and other agencies.

17. Representatives of the organizations and the Joint Committee discussed methods to improve awareness of the Recommendations and the issues raised in the presentations. These ideas were an important resource in the preparation of this report, and included the suggestion that the translations of the 1966 and 1997 Recommendations into many languages should be encouraged, and that provisions of both Recommendations should be incorporated into pedagogic materials.

## Social Dialogue in Education<sup>3</sup>

### What is meant by social dialogue?

18. 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 concerns of 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.

19. Social dialogue is not just the key to successful educational reform. Through its positive influence on students' attitudes towards governance of schools and higher educational institutions, it contributes to reinforcement of democratic values as a basis for more democratic decision-making in society generally.

20. The enabling conditions for social dialogue in education are the following:

- strong, independent organizations of teachers, and where appropriate, organizations of private educational employers, with the technical capacity and access to the relevant information to participate in social dialogue;
- political will and commitment to engage in social dialogue on the part of all the parties;
- respect for the fundamental rights of freedom of association and collective bargaining;
- appropriate institutional mechanisms and support.

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<sup>3</sup> The Joint Committee took note of extensive documentation provided by the secretariat on the issue of social dialogue, including an international assessment of the climate for social dialogue, selected country notes on social dialogue in education in Europe and Africa, and regional surveys of this subject in Latin America and Asia (see Annex 1).

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## The importance of social dialogue in education

21. Social dialogue is the glue for successful educational reform. Without full involvement of teachers and their organizations – those most responsible for implementing reform - in key aspects of educational objectives and policies, education systems cannot hope to achieve quality education for all.

22. Effective social dialogue is equally important at all levels of education, including higher education, where collegiality and self-governance in the framework of institutional autonomy is absolutely critical to healthy higher education institutions. Greater use of social dialogue in higher education will contribute towards addressing the root causes of the “brain drain” of talented teachers and researchers in higher education from developing to developed countries.

23. The 1966 and 1997 Recommendations provide extensive guidelines<sup>4</sup> on information sharing, consultation and negotiation as part of social dialogue. The 1997 Recommendation especially sets out guidelines for implementation of effective social dialogue in higher education. The guidelines of these two international standards, and the fundamental international labour standards on freedom of association and collective bargaining established by the ILO<sup>5</sup> should become the basis for measuring effective and sustainable dialogue in the educational systems of all Member States of the ILO and UNESCO. The Joint Committee recalls its findings at its 2000 session: “In order to address these issues effectively, social dialogue which does not appear to be sufficiently utilized, can be a powerful mechanism.”

## Trends in educational dialogue obstacles and improvements

24. Despite recent improvements in some countries, the Joint Committee notes that social dialogue in education remains a fragile process of decision-making in most Member States. Teachers and teacher organizations are not generally consulted on key education reforms, even though the realization of the Education for All goals requires that teachers and their organizations be full partners in planning, implementation and evaluation of EFA reforms.

25. The Joint Committee noted with satisfaction that regional studies found improvements in recent years in regions such as Latin America and the Pacific. A generally stronger climate and institutions for social dialogue exists in many European countries. The Joint Committee finds that sustainable dialogue is still largely absent in education decision-making. Obstacles include the unwillingness of governments to exchange views with teachers’ organizations and the lack of capacity of these groups. However, these studies reveal a wide gap between ratifications of international standards and the principles of dialogue and effective practice at national level. Effective and sustainable social dialogue remains to be constructed in most Member States.

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<sup>4</sup> Relevant paragraphs of the **1966 Recommendation**: 9, 10(k), 28, 32, 38, 44, 49, 62, 71,75, 82-84, 89, 99, 110, 116, 123(2)–124, 140. Relevant paragraphs of the **1997 Recommendation**: 8, 21, 22(k), 24, 28, 31-32, 34(l), 43(b), 52-56, 60-62, 64.

<sup>5</sup> The Freedom of Association and Protection of the Right to Organise Convention, 1948, (No.87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), the Labour Relations (Public Service) Convention 1978 (No.151), and the Collective Bargaining Convention, 1981 (No.154).

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## Recommendations for future actions

26. In order to improve the climate and support for effective social dialogue in education the Joint Committee recommends that:

- Member States create effective bipartite and where appropriate, tripartite structures for dialogue involving the principal stakeholders in education so as to improve the quality of education;
- the educational authorities of Member States develop within teacher education programmes, solid capacity for social dialogue within education by means of curriculum and instruction on this subject targeted at education management and teachers;
- the question of social dialogue be placed at the heart of new approaches of educational governance at all levels, including mechanisms to ensure social dialogue as a condition for accreditation of higher education institutions;
- the World Bank and other international financial institutions, as well as the donor community in Member States should systematically use effective social dialogue mechanisms with governments, teachers organisations and other stakeholders in the process of deciding on educational reform;
- there should also be increased use of social dialogue mechanisms between interested parties, including representatives of teachers, in decisions on trade in educational services;
- the ILO and UNESCO should assist teachers' organizations and educational management to develop their capacity for effective and sustainable social dialogue, notably by developing promotional materials or other tools which explain and promote relevant provisions of the 1966 and 1997 Recommendations;
- UNESCO and the ILO strengthen their internal linkages on decisions concerning their education sector activities in order to reinforce the use of social dialogue on education reform in Member States;
- the ILO and UNESCO undertake systematic collection of best practices on social dialogue in education in consultation with interested stakeholders in Member States, notably through the work of the EFA Flagship on teachers and the quality of education.

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## Box 1. Good Practices in Social Dialogue

In surveying practices in a large number of countries,\* the Joint Committee noted some examples of “good practices” which it commends to Member States for consideration in adopting policies and practices to encourage effective and sustainable social dialogue in education. The practices cited below are by no means the only ones that could be noted, but include those which appear exemplary in one or more respects:

- **Chile:** increasingly sophisticated bipartite and tripartite mechanisms for social dialogue in education (including municipal authorities in a decentralized system) have been developed in the 1990s following the restoration of democracy. Among the results, incorporated in national legislation, are new employment regulations, improvements in local education labour relations, salaries and a professional assessment programme for teachers.
- **Denmark and the Netherlands:** a wide degree of consultation exists with teachers in the classroom on educational delivery and with the teachers’ union and associations of educators for specific subjects on educational policy. A healthy system of collective bargaining on teachers’ terms and conditions of service prevails, including means of dispute settlement which have worked well in recent years.
- **Hungary:** a reconstituted tripartite consultative mechanism provides an overall framework for sectoral consultation and compromises on major educational policies in a country whose democratic institutions are still evolving from many years of top-down and centralized decision-making. The new mechanisms have led recently to a substantial salary increase for teachers to redress historically low levels that inhibited recruitment and motivation in the profession.
- **Mexico:** within an increasingly decentralized structure, consultations and negotiations between a unified, national teachers’ union and federal Ministry officials and local governments provides a clearly understood and functional framework for decisions concerning the teaching profession. The most important result in recent years has been a negotiated teaching career structure which links salaries to good teaching based on professional skills, teacher performance and continual professional development.
- **South Africa:** an education sector bargaining council, within a coordinated public sector bargaining council structure established by legislation in the 1990s, functions well for information sharing, consultation and negotiation on issues concerning the teaching profession in a newly democratic country still struggling to overcome decades of systematic discrimination.

The Joint Committee emphasizes that a stable climate for social dialogue in the form of democratic institutions, and adherence to international labour standards are basic conditions for these kinds of good practices.

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\*See Annex 1 for a list of international and regional reports

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## Teacher Education – Initial and Continuing<sup>6</sup>

27. In the present Report, every section deals with the need for training huge numbers of teachers to a basic level of quality, at every level of the education system. The Joint Committee expresses its concern about the increasing recruitment of inadequately trained under-qualified teachers, recruited under difficult conditions to help nations and communities deal with existing shortages.

### Trends

28. Some of the problems identified throughout the present Report, include:

- diversity of teacher training institutions;
- diversity of duration of training ranging from up to five years in some countries, to virtually no training in others;
- significant numbers of students who enter teacher training when this was not their first or even second career choice;
- inability of existing teacher education providers to take on massive numbers of new trainees needed to fill teacher shortages, leading to the employment of untrained ‘teachers’;
- at the higher education level, absence of pedagogic training for teaching personnel in most countries.

29. The Joint Committee moreover suggests that there is insufficient liaison and networking among different levels of teacher education providers in countries, with resulting fractures among the (huge) non-formal sector<sup>7</sup>, teachers’ colleges, and university teacher education department, and among ministries of education, higher education, and adult and continuing education.

30. Also noted was the fact that the relatively new governmental emphasis worldwide on learning throughout life seems to have largely bypassed teachers as subjects of such learning, in an era where lifetime education and training (called in-service when it pertains to teachers) is non-optional in all professions. Furthermore, many governmental discussions of how to infuse quality into education, for Education for All, literacy, sustainable development, citizenship, and other topics, bypass the current condition of the teaching profession as a lynchpin of quality in the classroom. One of the problems the Joint Committee discussed was that school-level teachers as well as university teaching personnel are often denied the right to mandatory in-service training under the rationale of severe budgetary constraints, because initial budget planning had not factored in this need. On the other hand, several Joint Committee members cited good practices of such early planning, incorporating in-service training provisions in some financially-strapped countries.

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<sup>6</sup> Relevant paragraphs of the **1966 Recommendation**: 11-30, 31-37, 95, 104-107, 141-143 (the teacher shortage). Relevant paragraphs of the **1997 Recommendation**: 37-39, 65.

<sup>7</sup> Non-formal education is defined as “any organized and sustained educational activities that do not correspond exactly to the above definition of formal education. Non-formal education may therefore take place both within and outside educational institutions, and cater to persons of all ages. Depending on country contexts, it may cover educational programmes to impart adult literacy, basic education for out-of-school children, life-skills, work-skills, and general culture. Non-formal education programmes do not necessarily follow the ‘ladder’ system, and may have differing duration.” (International Standard Classification of Education/ISCED).

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## Recommendations

**31.** The Joint Committee suggests to Member States that the 1966 and 1997 Recommendations provide useful guides to decision makers in governments, in teacher training and higher education institutions, and in teachers' organizations, in the planning and phasing in of teacher education reform at all levels, from pre-primary through the tertiary and non-formal levels. In its 2000 Report, the Joint Committee requested that "ministries include in their teacher education curriculum frameworks, reference to a small number of key definitions and provisions taken from both the 1966 and 1977 Recommendations, including reference to teachers' rights, responsibilities and participation in decision-making." The Committee hoped that these "guiding principles would also be aimed at the social partners of the ILO. In this way, the two organisations would make the two Recommendations would not only be better known but also more likely to be actively used by governments and social partners in their normal administrative and pedagogic work." Although one Recommendation is almost forty years old and the other is in an education field which many teacher educationists might consider too abstract, their provisions offer guidance and minimum standards for issues such as innovative curriculum development, appropriate and innovative methodologies, encouragement to bring non-education partners and environments into the teaching and learning process, basic standards for allowing teaching personnel the professional freedom to innovate, the development of social competencies, including those pertaining to values and social relationships, remunerative yardsticks for in-service training, and guidelines for student evaluation.

**32.** In the above context, the Joint Committee makes the following recommendations to ILO and UNESCO, to in turn provide policy direction to ministries, teacher education institutions, teachers' organisations and professional bodies:

- different teacher education providers, and appropriate ministries dealing with education and training, are urged to refer to the Recommendations for guiding principles and minimum standards for planning, implementing and assessing their teacher education programs and for defining their own national or regional norms and standards of quality;
- to build and/or strengthen bridges among teacher education providers faced with the problem of dealing with massive shortages of qualified teachers.

## Employment, Teaching and Learning Conditions<sup>8</sup>

**33.** In its 2000 report, the Joint Committee reflected upon the progress that had been made in the following areas: attracting a sufficient number of able and motivated young people to the teaching profession; facilitating development of careers of teachers over time; and means to improve motivation, professional competence and general professionalism by implementing proper training processes and diversified career structures, reviewing salaries and conditions of service, and giving incentives to enhance self-esteem and social image.

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## Trends

34. Against that background, it is timely to review some key trends and developments since 2000, although the evidence before the Joint Committee is limited with regard to the tertiary teaching areas.

35. The Joint Committee has been assisted in its task by an excellent upgraded statistical profile<sup>9</sup> jointly published by the ILO and UNESCO in 2002 as a continuing response to the Committee's request for relevant data.

That publication reveals the following trends:

- the demand for new teachers continues to be the highest in developing countries, where, generally speaking, a steady growth in the number of primary school teachers has been offset by a comparable increase in the number of school-age children. Although, at the same time, the growth in secondary school teachers has exceeded the growth of the relevant school population, teacher-pupil ratios remain unacceptably high;
- there is a vast disparity in pupil/teacher ratios in various countries, varying from averages of 9:1 to 72:1. In developing countries ratios are, in general, twice those in developed countries, with high dropout rates associated with high ratios. In some instances, this means that actual class sizes substantially exceed these ratios;
- in most developed countries, the majority of teachers are currently over 40 years old, whilst in developing countries, a very high proportion of teachers are under 30 years of age;
- the percentage of women in teaching continues to rise in developed countries, where they outnumber men; whereas the reverse is true in some developing countries. The majority of teachers at the lower levels of education are women. Women are still under-represented in management positions, although there has been gradual improvement;
- a tertiary qualification is now required of new teachers in all OECD and World Education Indicators (WEI) countries<sup>10</sup>, although that does not necessarily reflect the situation of existing teachers. In many developing countries, the majority of primary teachers have, at most, a lower secondary qualification;
- wide variations exist as to hours of work among reporting countries. Trend data suggest that teaching times have remained generally stable throughout the 1990s;
- salary trends during that period show differing patterns. Generally speaking, teachers' salaries in high and middle-income countries have remained fairly stable or have increased slightly, but salaries have deteriorated in low-income countries. Minimum salaries are below GDP per capita in EU and OECD countries, whilst mid-career salaries are above that level. Statutory salaries of primary teachers who have 15 years of experience are lower than the average earnings of other equally qualified workers. This has obvious implications for future teacher recruitment;

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8 Relevant paragraphs of the **1966 Recommendation**: 8, 38-60, 70-74, 85-113, 114-124. Relevant paragraphs of the **1997 Recommendation**: 6-7, 33-36, 40-51, 57-72.

9 *A Statistical profile of the teaching profession*, by Maria Teresa Siniscalco, ILO and UNESCO, 2002.

10 WEI countries are a group of non-member countries of the OECD who are closely associated with the teacher indicators work of the OECD and UNESCO.

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- there are substantial variations between countries in working conditions, which are affected by a wide variety of factors. It is therefore difficult to make meaningful comparison in that regard. The development of a comprehensive statistical profile of teachers' working conditions is still limited by data gaps and methodological difficulties. For example, data as to total hours actually worked<sup>11</sup> remains difficult to assess.

**36.** Due to the present stage of development of statistical indicators, the Joint Committee can only reach limited conclusions with confidence.

**37.** The material before it indicates that, at least in the pre-tertiary sectors, there is limited evidence of any general improvement in the status of teachers and their overall conditions of service. Perhaps the most important development has been the move toward more general tertiary qualifications for new teachers in a significant number of countries. The evidence suggests, however, that it will be a considerable time before any substantial improvement in teachers' qualifications in many developing countries will take place. Recruitment remains difficult in those countries, and workloads and pupil-teacher ratios continue to be unacceptably high. This situation has led to the undesirable practice of recruitment of inadequately trained "volunteer teachers" or truncated training programmes. The Joint Committee deplores these trends, which undermine the professionalism of teaching. In line with the provisions of the 1966 Recommendation concerning teacher shortages, the Joint Committee believes that it is essential to provide adequate, compensatory in-service and continual training programmes to avoid further deterioration in teaching standards and educational quality.

**38.** In the developed countries, the aging teacher cohorts present obvious recruitment problems for the future, which must be planned for in a timely manner. It is important to avoid exacerbating the brain drain of qualified teachers, including competition for new teachers ("poaching"), especially from developing countries, in order to fill vacancies caused by retiring teachers.<sup>12</sup>

**39.** Much still remains to be done to achieve an acceptable gender balance across the whole teaching service, particularly in management positions, although there is some evidence of improvement in the latter regard.

**40.** The Joint Committee notes the optimism expressed in the report before it that the OECD education indicators programme suggests that many meaningful indicators of the status of teachers can still be developed through relatively simple and inexpensive data collection methods. These would be based on definitions, methods and data collection instruments that are reviewed and updated in collaboration with participating countries. They span aspects such as qualifications, employment data, gender, hours of work and even meaningful salary indicators.

**41.** The Joint Committee commends UNESCO's Institute of Statistics and the ILO for the work being done in that regard. It stresses the importance and high priority of such work for planning and comparative standard purposes. It further recommends that regular statistical profile analyses of the type in *A Statistical profile of the teaching profession* should be commissioned as an important means of monitoring the application of both Recommendations in its mandate. Material of this nature is important to enable education policy makers to address issues such

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<sup>11</sup> The **1966 Recommendation**, paragraphs 89-93 set out the different aspects which should be considered in determining teachers' overall working hours.

<sup>12</sup> The Joint Committee notes work within the ILO on migration of qualified health personnel, including nurses, and recommends consideration of similar studies on the impact of such migration within the teaching profession.



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as: do the status and working conditions of teachers reflect the importance of their role and the expectations of national decision makers; do education policies reflect the awareness that advances in education depend largely on the qualifications and abilities of teaching staffs; and what tradeoffs should be made when establishing teacher workload, class sizes and salaries, so as to balance the need for expanding access to education and attracting and retaining good teachers within relevant budgetary constraints. Comprehensive and comparable indicators on salaries in relation to teacher recruitment, motivation and educational quality are particularly important.

## Recommendations

42. The Joint Committee urges that, in line with the current state of data and analysis, the maximum amount of statistical material on these subjects should be made available at the next Session. This should constitute an invaluable tool for all stakeholders and the Joint Committee alike. Furthermore, the Joint Committee points out that the statistical profiles produced to date have concentrated on the pre-tertiary sector. It reiterates the point made in its 2000 report that similar statistics and profiles should be regularly generated for the tertiary sector.

## ICT and Teaching<sup>13</sup>

### Trends and Recommendations

43. Among the stakeholders in education a consensus exists that the effective use of information and communications technologies (ICT) has great potential for enhancing learning opportunities and the quality of education, especially in distance, open and flexible learning, although the need for research on these points remains. Moreover, it is axiomatic that, in today's environment, students must imperatively acquire proficiency in the use of ICT skills as part and parcel of their developing skills. Teachers are, of course, crucial to the successful use of ICT. They will be required and should be encouraged to assume new roles and responsibilities for ICT to improve the quality of education and access to education by learners in informal, non-formal and adult education settings.

44. A crucial element in the assumption of new responsibilities for teachers is the inclusion of extensive training in the use of ICT in initial teacher education, with the goal of infusing technology into the entire teacher education program. Teacher training institutions may wish to require a basic level of computer literacy as a condition of admission. Computer literacy should be introduced in context.

45. Teachers already in the profession should have the right to adequate time and resources for continual professional development to acquire and maintain ICT skills. To ensure that adequate resources are available, collaboration between national and local authorities may be necessary. The amount and conditions of this objective should be determined in negotiations between educational authorities and teachers' organizations. Experiences from UNESCO and ILO-assisted regional activities provide useful examples of successes in the adoption of these technologies.

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<sup>13</sup> The Joint Committee's examination of this issue is based on a wide range of UNESCO and ILO reports, including regional seminars of educational stakeholders, which are listed in Annex 1.

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46. “Affirmative action” may be necessary to ensure equal gender access to ICT training, taking into account the family responsibilities of many female teachers. Special efforts may be necessary to ensure that teachers in remote areas and smaller schools also have access to this training. While there is no evidence that older teachers are less able than their younger colleagues to adapt to ICT, special efforts may be necessary to meet their needs and professional attitudes.

47. Investments in ICT should be on an integrated and coordinated basis, including hardware, software, communication provisions and trained human resources. These should be available on a continuing basis. Where public/private partnerships complement public sector investment, care should be taken to ensure that provision of hardware and software is on a competitive basis which respects prevailing technical standards established by the educational authorities in cooperation with teachers and their organizations.

48. Teachers should have adequate time to plan the introduction of ICT into their pedagogical practice to ensure high quality and appropriate learning. Preparation time should be the subject of consultation or negotiation between education authorities and teachers’ organizations. Changes in teaching service regulations should take into account the flexibility offered by ICT. Technical and professional support should be available to ensure that teachers and students enjoy the full benefit of ICT without interruption.

49. The introduction of ICT, as any new technology, can be stressful for teachers and education administrators. Additional research is needed on the use and impact of ICT on teachers, including the time needed to prepare classes and other adjustments. Changes in working conditions may be necessary and subject to negotiation between teacher organization and educational authorities.

50. ICT presents the opportunity for the adoption of new teaching methods. These developments should be encouraged after adequate research, including comparative studies and pilot projects prior to introduction. Adequate technical assistants may be important in the utilization of ICT, provided that they do not assume teachers’ duties and responsibilities.

51. When ICT is used, due care should be taken to ensure a healthy and safe workplace for teachers. Proper techniques should be used to ensure that ergonomic principles are used to avoid risks to health or safety. Failure to meet ergonomic standards, including exposure to keyboards and screens, can cause injuries, especially to hands, wrists and backs. School authorities should be prepared to invest in equipment to avoid these hazards.

52. The importance of social dialogue processes for the introduction and use of ICT cannot be overemphasized. To ensure that teachers, educational authorities and other stakeholders enjoy the maximum benefits from the use of these technologies, all should be involved in information sharing, consultation and negotiations, according to the issue involved. Students and parents, through their elected representatives in school councils or boards and other educational stakeholders should be fully involved in school decision-making with regard to ICT.

53. Recognizing that in many developing countries there are basic problems of teachers’ access to computers and communications technologies, it is essential that Member States of UNESCO and the ILO give priority to the provision of relevant resources.

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54. The Joint Committee recommends that the ILO and UNESCO continue to monitor the impact of ICT on the training, curricula, teaching practices and working conditions of teachers, as it affects teacher status, in consultation with international teachers' organizations and teacher training institutions. The results of such monitoring and the knowledge of best practices thus accumulated should be shared widely among educational stakeholders of Member States, and reported to the Joint Committee.

## Gender and Education<sup>14</sup>

### Trends

55. Based on the reports<sup>15</sup> available to it as well as on the information from materials of the EFA Monitoring Team, and members' own knowledge and research experience in the area of women and education, the following observations on trends and issues were made:

- in most countries, the percentage of women among teachers had continued to rise. In 2000, 80% of teachers in developed countries were women; 92% of teachers in countries in transition were women; and, 62% of teachers in developing countries were women;
- in general, women outnumber men at the lower levels of education (early childhood and primary school levels) which are usually associated with lower levels of remuneration;
- in most OECD countries the proportion of women is higher among younger teachers;
- although there is increasing participation of women in most education systems, especially as teachers, they generally remain underrepresented in management positions;
- in many industrialised and some developing countries female participation and performance in higher education is stronger although they continue to be under-represented in some fields of study, such as physics, computing science and engineering technology;
- the increasing feminization of teaching especially in developed countries may result in teaching being accorded lower status and making it unattractive, especially to men. However, in some countries, small schools are often staffed by only one or two teachers, invariably male, and significant instances of gender-related violence against pupils have been reported from these countries;
- although there has been some improvement in the participation of women as students and staff in higher education, due in part to affirmative action in relation to student admission, women remain generally under-represented in management positions in most countries;

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14 Relevant paragraphs of the **1966 Recommendation**: 7, 54-58. Relevant paragraphs of the **1997 Recommendation**: 25, 40-41, 70.

15 The Committee had before it the following publications for its analysis: *A statistical profile of the teaching profession* by Maria Teresa Siniscalco (2002) and *Trends in feminization of the teaching profession in OECD countries* (2000) by Cathy Wylie (Annex 2).

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- women also continue to be under-represented in management positions of teachers' unions and professional organisations in many countries, especially in Sub-Saharan Africa;
  - the major barriers to women's participation in senior level management in all levels of education include: lack of flexibility in working hours; male dominated appointing and promoting bodies; shortage of women staff with higher academic and professional qualifications; and, comparatively higher work/teaching load.

## Recommendations

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

- subject to available resources and in the framework of the EFA initiative on girls' education, the ILO and UNESCO should either commission a study of trends in the feminization of the teaching profession in developing countries (similar to that already done for OECD countries) for the next meeting of the Committee, or, as appropriate, extend the expected work on indicators to this effect;
- efforts should be made to obtain data on barriers to women's participation as managers in education, as well as strategies used by countries and institutions to promote women to senior management positions in schools and higher education institutions and to enable the successful participation of women as teachers and academics in higher education;
- the ILO and UNESCO should urge Member States to monitor the participation of women in teacher education and to make provisions for their professional and continuing education in light of the changing role of teachers;
- the ILO and UNESCO should commission a study to examine whether, and to what extent the status of the teaching profession affects gender balance in the profession, especially at early childhood and primary levels;
- finally, the Joint Committee requests teachers' organizations and governments to call attention to the fact that normative instruments concerning teachers set minimum standards for responsibilities as well as rights, and that the standards should be used in dealing with gross abuses by teachers of students with regard to both general violence and sexual violence, both of which have been reported as significant phenomena in both the EFA Monitoring Report and in ongoing studies of the spread of HIV/AIDS.

## Education for All (EFA) and HIV/AIDS<sup>16</sup>

57. In view of the well-documented declining status of teachers world-wide and the growing flight from the profession, the Joint Committee reacted with alarm but without surprise to the current UNESCO studies projecting as many as 35 million additional primary school teachers needed by the year 2015 if the basic UPE goal is to be met. In addition, the Joint Committee noted the extremely low or non-existent status of teachers in the non-formal sector, where over one billion men and women need to be made literate.

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## Trends

**58.** In this context, although the quality issue may at first seem impossible for countries to address, the Joint Committee suggested that the issue could be successfully tackled if governments gave priority to a few basic principles. One is that a country's higher education/teacher education institutions should be made a more active object of development for EFA, if people are concerned about inadequate teaching. These institutions are an obvious source for feeding quality into the EFA level, through teacher training and quality research and planning. The Joint Committee recognizes the hard choices that governments face regarding resource allocation among levels of education. However, it suggests that there are good practices for reallocations that do commit more resources to developing higher education/teacher education institutions. Such reallocations would improve the status of teachers at a fundamental level by giving priority to the quality of their training. Further, governments could use provisions of the 1966 Recommendation dealing with the steps for phasing in the professionalization of large numbers of untrained teachers, and for involving teachers' organizations far more actively than at present in planning medium-term measures to provide quality in-service upgrading to these under-prepared teachers.

**59.** Two huge subset issues raised as obstacles to achieving EFA goals are gross gender inequities in the teaching profession, and the impact of HIV/AIDS. The gender issue is dealt with in a separate section of this report. For the latter issue, the Joint Committee observed that the 1966 and the 1997 Recommendations should be complemented by and interpreted in the light of the *ILO code of practice on HIV/AIDS and the world of work*, and could be widely used by decision-makers to deal with the most difficult issues of the rights and responsibilities of teachers with HIV/AIDS. Regarding current research, the Joint Committee was informed that, according to World Bank projections, as many as 133,000 teachers in South Africa and 24,000 teachers in Tanzania could die of AIDS by 2010; and that according to a UNESCO study, the high rates of AIDS-related deaths in some countries is outpacing the number of new entrants into the profession, prolonging countries' dependence on unqualified teachers. Examples include Zambia where, in 1998, teacher deaths were equivalent to the loss of about two-thirds of the annual output of newly qualified teachers, or in the Central African Republic where UNAIDS reported widespread closings of dozens of schools because of the numbers of teachers having to deal with AIDS-related illnesses.<sup>17</sup> In Malawi, teacher mortality and mobility is significant and rising, but is less severe than in other professional sectors in this country; however, regarding Malawi, budget resources originally intended for in-service teacher training are diverted to cover funeral costs. In Botswana, where teachers now have access to anti-retroviral (ARV) treatment, death rates appear to have stabilized; however, not only is this not the case everywhere, the ripple effects of HIV/AIDS are spiralling: orphaning, absenteeism, impoverishment of families or communities who normally would support schools, collapse of quality in education, all impacting negatively on EFA.

## Recommendations

**60.** Therefore, the Joint Committee made the following recommendations, for consideration by UNESCO and ILO and by the partner organizations of EFA follow-up, including national governments and teachers' organizations:

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<sup>16</sup> Relevant paragraphs of the **1966 Recommendation**: EFA: 3-5, 10, 11, 31, 70, 141-145; HIV/AIDS: 7, 53. Relevant paragraphs of the **1997 Recommendation**: EFA: 10(a), (b); HIV/AIDS: 25, 40, 63.

- in view of the fact that higher education institutions have been largely absent from the discussion of how to put quality into Education for All, and are clearly needed both as participants in that discussion and as active partners in the follow-up, Member States should be given information regarding existing national good practices in how to make difficult resource allocation choices to improve higher education and feed it into EFA activities;
- governments and international organizations should situate abstract discussions of quality in EFA against the baseline of discussion of existing teacher qualifications, levels of teacher training, and standards for certification, to bring these into realistic relationship to the EFA task at hand and to the steps necessary to professionalise massive numbers of teachers and potential teachers, in social dialogue with teachers' organizations;
- ILO and UNESCO should collaborate in disseminating and implementing the document, *An ILO code of practice on HIV/AIDS and the world of work* and its ten key principles. The ILO education and training manual will be a useful tool in this regard. This would help organizations manage and mitigate the impact of HIV/AIDS on teachers' workplaces and create an enabling environment to fight the HIV/AIDS epidemic;
- ILO and UNESCO should help mobilize greater political commitment, business leadership and involvement of teachers' organisations to deal with the HIV/AIDS phenomenon;
- For teacher morale, ILO, UNESCO and HIV/AIDS partners should give higher priority than at present to disseminating upbeat information, where it exists, regarding HIV/AIDS within the teaching profession, for example, citing instances of significant numbers of HIV-positive teaching staff who live and function with the situation.

## Higher Education: Academic Freedom and Related Issues<sup>18</sup>

61. Notwithstanding the different cultural perceptions of the concept of academic freedom, the Joint Committee reaffirmed that the issue of academic freedom is one of its priorities. It underlined that academic freedom lies at the core of the mission of higher education, pertaining both to human rights and to overall development policies in today's societies. The Joint Committee also noted that academic freedom is an especially complex issue, because it requires a proper balance of rights and responsibilities. Problems range over a broad spectrum, from, on the one hand, instances where universities have undergone extreme repression by governments to, on the other hand, instances of abuses by some higher education teaching personnel of academic responsibilities.

62. The 1997 Recommendation delineates the following areas as integral part of academic freedom:

- access to knowledge (Article 11)
- knowledge production (Article 12)
- freedom of expression and other civil rights (Article 27)

<sup>17</sup> AFT-Africa AIDS Campaign article, 129 September 2003; and Michael J. Kelly, *Planning for Education in the Context of HIV/AIDS, Fundamentals of Educational Planning No.66*, Institute for Educational Planning, UNESCO, Paris, 2000.

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- freedom to publish and disseminate research results (Article 12)
  - participation in gatherings and exchanges, both nationally and internationally (Articles 13, 14)
  - autonomy of institutions of higher education (Article 17)
  - participation of higher education teaching personnel in governance (Articles 21, 31 and 32)
  - educational methods and curricula (Article 28).

The Joint Committee also notes that Article 75 of the 1966 Recommendation (“...authorities should establish and regularly use recognized means of consultation with teachers’ organizations on such matters as educational policy, school organization, and new developments in the education service.”) is integral to a holistic approach to the academic freedom provisions of the 1997 Recommendation.

## Trends

**63.** The most important trends and tendencies which the Joint Committee found in the available background material, and in the presentations by participants in the Informal Session, can be summarized as challenges linked to:

- commercialisation, merchandising and trading of higher education services;
- decreasing continuity of employment and tenure;
- reduced public financing;
- problems of brain-drain in many countries.

It should be stressed that the Joint Committee notes that, in this context, non-observance of academic freedom and other provisions of the 1997 Recommendation is not only a rights-and-responsibilities issue but also a development issue, bringing down the quality of higher education institutions in countries where quality is needed for commitments to such goals as Education for All and sustainable development, and exacerbating the myriad conditions which lead to brain drain, either out of the teaching profession or out of the Member State in question or both.

## Recommendations

**64.** The Joint Committee, expressing the view that academic freedom remains at the core of the ability of higher education to undertake teaching and research of good quality, drew attention to the following areas requiring policy action or intervention:

- **Standards for observance:** In view of the fact that universities and, often, governments, looked upon UNESCO and ILO as the source of international standards for the accreditation of higher education institutions, the Joint Committee recommended that the two Organizations, within their respective mandates and in the context of the

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**18** Relevant paragraphs of the **1997 Recommendation**: paragraphs 11-14, 17, 21, 26-34 (including references to institutional autonomy).

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1997 Recommendation, demand the observance of the following principles as prerequisites for ensuring the accreditation of higher education institutions: observance of the various fields of academic freedom as defined in the 1997 recommendation; qualifications of academic personnel according to international standards; existence of personnel and conditions favourable to research; and security of employment in the profession, including tenure. These should be accompanied by objective assessment mechanisms (peer evaluations) in co-operation with the UNESCO Global Forum on International Quality Assurance, Accreditation and the Recognition of Qualifications in Higher Education on issues related to the rights and status of higher education teaching personnel.

- **Studies:** Reacting to the studies which UNESCO and ILO had prepared for the Eighth Session on the topics of academic freedom and academic tenure, the Joint Committee requested both Organizations to continue to commission studies on topics defined in the 1997 Recommendation. Regarding the UNESCO-commissioned studies on academic freedom, the Joint Committee requested the development of a global study by including missing regions: Europe, Arab States and Latin America, emphasizing good practice or improved practice throughout. In this work, the Joint Committee stressed the need for both Organizations to identify organizations, both national and international, which would be most likely to undertake unbiased research on these topics.
- **Dissemination:** To get the message of the rights-and-responsibilities issues and the development-related issues of academic freedom out to a wide audience, the Joint Committee urged UNESCO, in co-operation with ILO, to disseminate a user-friendly presentation of the relevant passages of the 1997 Recommendation, especially to their respective Regional Bureaus, and to encourage the organization of national workshops on this topic. These presentations should be readily usable to promote the importance of appropriate qualifications for academic leaders as components of meaningful autonomy for higher education institutions in the spirit of Article 21 of the 1997 Recommendation.
- **Brain Drain:** The Joint Committee suggested several strategies for consideration by UNESCO and ILO, to help Member States and universities reverse this trend. These included the following: networking, with a view to maintaining contacts between researchers and their countries of origin through virtual networks on particular disciplines; centres of excellence in co-operation with UNESCO/UNITWIN Chairs; inter-university co-operation in the framework of the “visiting professor” scheme; intensifying social dialogue as a mechanism to resolve conflicts in higher education; and improvement of working conditions in the countries of origin.
- **Sensitization of national authorities,** through continuing efforts to include Ministries of Education and Higher Education in all platforms of dialogue on educational issues in general and on the 1997 Recommendation in particular.
- **Pedagogical application:** UNESCO, in co-operation with ILO, should recommend to national education authorities the introduction of the Guiding Principles of the 1997 Recommendation (Part III) into teacher-training programmes.



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## Employment Structures and Tenure in Higher Education<sup>19</sup>

65. The 1997 Recommendation<sup>20</sup> recognizes that tenure is one of the major safeguards for academic freedom, which in turn is a significant characteristic of a democratic society. Tenure protects academic staff from reprisal for their political views or their positions on academic issues. It also is designed to protect universities from interference through appointments motivated by political objectives.

66. Tenure or its functional equivalent in terms of the 1997 Recommendation is understood to mean a situation of permanence in employment after a suitable probationary period based on well-defined criteria. The 1997 Recommendation also establishes the conditions under which tenure or its functional equivalent may be restricted due to financial constraints.

67. Tenure or its functional equivalent appears to exist in most democratic societies. Security of employment is recognised by legislation, labour contracts or employment tribunals, while private contracts, civil service rules or collective agreements, depending on the structure of a university system, can establish tenure or its functional equivalent. Procedures for appointments are the fundamental first step in any system of tenure or continuing contracts. These must be open and based on academic merit. Some systems are highly centralised across national university systems, while others give significant authority to academic units in individual universities.

### Trends

68. There are two major systems for establishing tenure or similar employment arrangements. One is the “Anglo American” tradition, which is based on contracts with individual universities. Major North American universities, for instance, have well-defined procedures for assessing candidates for tenure, and stable careers for staff who attain tenure. The academic freedom of tenured and probationary staff is protected through internal legislation. In universities where staff are represented by faculty unions or associations, similar procedures are included in collective agreements which have legal force. In both the private contract and collective agreement systems, faculty can be dismissed only for cause and after transparent proceedings based on protections of natural justice.

69. A second system for tenure is through civil service rules. In a number of countries, academic staff are treated as civil servants, usually under separate regulation for recruitment and evaluation. Often their academic status also gives them a strong voice in academic decisions within their universities. Within this broad framework, national systems range from highly centralised to relatively decentralised, i.e., decision making devolved to individual universities. The distribution of authority within university systems is under review in several countries.

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19 The Joint Committee’s monitoring of these provisions of the 1997 Recommendation is based on in-depth studies covering systems typical to most geographic areas of the world that were specially commissioned for this purpose by the ILO. These documents, entitled *Academic tenure and its functional equivalent in post-secondary education*, and *Academic employment structures in higher education: The Argentine case and the academic profession in Latin America* are cited in Annex 1.

20 Relevant paragraphs of the **1997 Recommendation**: 40-51 (with special attention to 45-46), 72.

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**70.** In addition to traditional universities, in much of the world, there is a large and diversified segment of non-university higher education institutions which often have different employment conditions, not infrequently with more part-time and temporary contractual relations arising from greater financial incapacity to hire full-time or permanent faculty. The Joint Committee firmly believes that staff in such institutions should benefit from conditions equivalent to those employed on a more permanent basis, in recognition of the value of the service provided, and in accordance with the provisions of the 1997 Recommendation.

**71.** The Joint Committee also notes that private higher education institutions often do not have the same guarantees of tenure or its equivalent. Due regard must be given to ensuring that proper employment structures are guaranteed for staff in these institutions in accordance with the 1997 Recommendation.

**72.** Tenure and its functional equivalent are well established in most democratic countries. The Joint Committee took special note of recent trends and some key issues in higher education:

- a) short-term and part-time contracts are the biggest single challenge to tenure. Though comprehensive and reliable international statistics are lacking, it appears that the proportion of academic staff under these contracts is growing, and these arrangements are common in many countries. Paragraph 72 of the 1997 Recommendation acknowledges the value of services provided by these staff. Faculty in such circumstances do not enjoy the same degree of academic freedom as their colleagues with tenure or continuing contracts. There are a variety of arrangements to facilitate the use of part-time or short-term faculty while protecting the academic freedom of all staff, and these arrangements should take account of the provisions of the 1997 Recommendation;
- b) in terms of affirmative action, universities have traditionally been male-dominated. Increasingly, they must provide opportunities for qualified females who are obliged to combine academic careers with family responsibilities. Female staff are often concentrated in fixed-term or part-time contracts. Similar issues arise in relation to minority rights. Universities in many developing countries begun by former colonial powers still lack adequate representation from local populations, while in many nations, university staff may not reflect ethnic composition of the population;
- c) university faculty who enjoy the protection of tenure or continuing employment are expected to follow ethical principles of professional conduct. The 1997 Recommendation recognises this obligation, but the ethical codes are an important component of academic employment structures and should be developed with effective participation by the concerned academic community. Many countries recognize that an academic can be dismissed for just cause, subject to decisions by an arbitrator, an independent tribunal or court;
- d) one of the most contentious issues facing permanent higher education staff is their status in cases of financial exigency or programme redundancy. This issue is also important for part-time and temporary staff who teach in higher education institutions of many countries, and whose rights to decent employment structures and benefits are equally important. The Joint Committee notes that the increasing

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numbers of such situations requires that faculty should be subject to layoff only in cases of genuine and demonstrable financial crisis as demonstrated by conventional accounting principles and if no other alternatives exist. Academic governing authorities (senates or councils as appropriate) should be directly involved in these decisions. Similarly, decisions to close or reduce academic programs should be made in accordance with proper and transparent procedures, and with attention to maintaining a range of offerings within a university system;

- e) distance and trans-national education are growing responses to increasing demand for higher education services. In that context, there is some evidence that faculty in many of these programmes do not have similar guarantees of stable employment, i.e. are on part-time or other contingent contracts. The Joint Committee considers that higher education staff in such programmes should enjoy proper guarantees of stable employment and working conditions. Such programmes, largely developed for private, commercial purposes, carry with them inherent risks of inadequate protection for staff locally employed and for the quality of teaching;
- f) late in the twentieth century, higher education has become increasingly international. One consequence of this development has been the “brain drain,” the migration of highly qualified individuals from developing nations to universities or to other economic sectors that offer superior terms and conditions of employment, including tenure or its equivalent. Political instability and interference in universities is also a cause of the brain drain, weakening national development. The solution to this problem lies in providing academics with working environments commensurate with their background and contributions to society;
- g) faculty unions or associations are significant in national civil services, in the decentralised Anglo-American systems, and also within non-university higher education institutions. Academic staff should have the same rights to collective representation as other workers, consistent with national practice. They should be able to negotiate procedural guarantees necessary for tenure while leaving academic decisions, including specific criteria, within the control of academic bodies, though their roles and responsibilities differ according to national systems.

## Recommendations

73. The Joint Committee considers that:

- Member States, assisted as appropriate by the ILO and UNESCO, should undertake to collect and share best practices on procedures for appointment, promotion assessment and termination of staff as a basis for future policies and practices to improve higher education. In that respect, accreditation institutions which exist in many countries should contribute to improvements in the employment structures in the different types of institutions as a pre-condition for certifying such institutions;

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- ILO, UNESCO and international financial institutions should adhere to the terms of the 1997 Recommendation in their programmes to support and reform higher education systems and institutions;
  - particular attention should be given to ensuring proper employment structures, including application of tenure or its functional equivalent, so as to encourage gender and ethnic diversification of higher education institutions.

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## II. Progress of Initiatives to Monitor and Promote the 1966 and the 1997 Recommendations

### *Preparation of Reports to Monitor the Recommendations*

#### **Working Methods**

74. Resource restrictions within the ILO and UNESCO have imposed limitations on the ability of the Joint Committee to pursue certain matters identified in its last report. Nevertheless, a range of reports and summaries provided by the Joint Secretariat in relation to major areas of its mandate have enriched the Joint Committee's monitoring exercise. Details of the background materials are set out in Annex 1 to this report. In the future, the joint secretariat is urged to provide such materials sufficiently far in advance of the Session to permit a more in-depth analysis of the reports which form the basis for supervision of the two Recommendations, as indicated in the methodology section.

75. The Joint Committee emphasizes that its ability to discharge its mandate, as expanded in 2000 to include the monitoring and promoting of the UNESCO Recommendation, 1997, will necessarily be limited in the immediate future by the extent of resources made available for the purpose. With due regard to the inevitable limitations on the programme and budgets of international organizations, the Joint Committee urges the Director-Generals of the ILO and UNESCO to devote the necessary resources to permit adequate research and preparation of reports on the priority themes set out in the recommendations of this report, including those with a potentially high profile impact on national policy and practice.

76. The Joint Committee endorses the proposal under discussion within UNESCO to carry out a new approach to monitoring a selective number of UNESCO's international standards including the 1966 Recommendation. The proposal to request Member States of UNESCO to report periodically on a staggered schedule in relation to well-defined priority themes would provide a welcome new source of information for the Joint Committee's mandate. It has decided to establish a small working group to propose priority themes arising from the 1966 Recommendation for inclusion in the UNESCO questionnaires, to recommend how to effectively use the information generated within Member States themselves, and to propose a close involvement of a wide network of cooperating bodies, including UNESCO national commissions, ILO regional and area offices and especially national teachers' organizations, so as to enhance the generation of the most complete possible data.

77. The Joint Committee further decided to extend the working group methodology employed at the present Session to its next Session, with provisions for improvements regarding availability and analysis of background material which were decided at its last sitting, including:

- a. relevant background documentation, limited in length, should be provided to CEART members at least two months in advance of the session;

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- b. working groups should be formed in advance of the session and develop draft texts on various themes for consideration prior to the session's opening;
  - c. the number of working groups should be limited in number and focus on the main themes which are continually before the Joint Committee arising from the two Recommendations, notably: teacher education; employment, careers and salaries; teaching and learning conditions; social dialogue; academic freedom and tenure; and transversal issues such as allegations, gender and HIV/AIDS;
  - d. the secretariat should assist the working groups by preparing or assembling relevant background documentation, developing key questions to help focus discussion and proposing a common format for working group reports;
  - e. the practice of holding an informal sitting to hear the informed views of interested stakeholders in education – teachers' and employers' organizations, inter-governmental and non-governmental organizations – should be continued.

This working method would enable all the members of the Joint Committee to contribute to the final report, would also give more space for in-depth studies of specific thematic issues and would enable a richer diversification of good practices, as it did during the Eighth session with social dialogue.

## Teacher Indicators

**78.** The Joint Committee is persuaded that improvement in the status of teachers and quality in the provision of EFA require an integrated view of education from early childhood through higher education. The collection of data, planning and policy should reflect this approach to education, because the quality of education at the early stages depends on the quality of teaching, training and research done at the higher levels of the system. As one example, better data on teacher qualifications contribute to improving the quality of teaching. As another example, the provision of better data on working conditions could point out to policy-makers one of the main reasons for the massive flight from the profession and for brain-drain from particular countries.

**79.** One of the crucial sources of information for the Joint Committee to fulfil its monitoring responsibilities is the available set of comprehensive and internationally comparable teacher indicators covering the seven main indicators set out in its 1997 Report<sup>21</sup>, along with additional indicators, especially on the degree of effective social dialogue on education, which are growing in importance. The Joint Committee considers that considerable work on these indicators has been made through OECD, European Union, UNESCO and ILO efforts since the Seventh Session.

**80.** The Joint Committee commended the major ILO/UNESCO study entitled *A Statistical Profile of the Teaching Profession*, not only for the data contained but for the way it was used in the media by both Organizations to call wide public attention to the largely negative status of teachers worldwide. The Joint Committee considers it a valuable baseline resource document.

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<sup>21</sup> Pre-appointment qualifications for teachers; further education opportunities for teachers; gender distribution of teachers by categories at both classroom level and by promotion position including school principals (head teachers) and deputy principals (deputy head teachers); the numbers of part-time teachers expressed directly or in full-time equivalents (FTEs); hours of work for teachers, including non-student contact commitments; class sizes; teachers' remuneration.

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**81.** The Joint Committee also noted substantial progress made in several areas since 2000 by the UNESCO Institute for Statistics. These included the joint study with OECD entitled *Teachers for Tomorrow's Schools, An analysis of the World Education Indicators, 2001 Edition*; and the inclusion of updated teacher indicators in *Financing Education – Investments and Returns, Analysis of the World Education Indicators, 2002 Edition*; and much work to establish norms and standards for a wide range of indicators. The Joint Committee noted with interest the regional and national initiatives underway to produce indicators relevant to teacher status, and to increasingly make this a demand-driven activity by Member States.

**82.** Reacting to all of the above information, the Joint Committee noted that the international working definition of “teacher” does not include any reference to qualification or certification. The definition, supplied to the Joint Committee by the UNESCO Institute for Statistics, is as follows: *“Teachers or teaching staff refer to those persons employed in an official capacity for the purpose of guiding and directing the learning experience of pupils and students, irrespective of his/her qualification or the delivery mechanism, i.e. whether face-to-face and/or at distance. This definition excludes educational personnel who have no active teaching duties (e.g. headmasters, principals who do not teach) or who work occasionally or in a voluntary capacity in educational institutions (e.g. parents). A trained teacher is a teacher who has received the minimum organized teacher-training (pre-service or in service) required for teaching at the relevant level.”* The Joint Committee feels that the status of teachers is undermined by such a distinction between teachers and a trained teacher, at least at the pre-tertiary level, and that the relevant international definitions should be reviewed and possibly revised.

## Recommendations

**83.** Cognizant not only of the human resource and budget restrictions of UNESCO and ILO, but also of the need not to overburden Member States with demands for too many new indicators, the Joint Committee makes the following limited number of recommendations for the next three years:

- UNESCO and ILO should continue with their considerable work in developing and expanding key teacher indicators relevant to the status of teaching personnel, update these indicators and profiles on a permanent basis, review and include a limited number of other relevant indicators which are not presently available to reflect changing conditions in education and the teaching profession and increasingly explore ways that these indicators can be actively used by governments, teachers' associations, and teachers themselves, to produce positive change;
- UNESCO and ILO should develop a corresponding methodology and set of indicators for the higher education level;
- a review and possible revision of the current definition of “teacher” be undertaken to reflect a link between qualification, certification and quality and, consequently, the status of teachers;
- Member States of UNESCO and the ILO should be encouraged to create or improve their management information systems on teaching personnel to include such inter-

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national indicators as: age, gender, qualification/certification. The Joint Committee noted, as one example, the need for governments to be able to predict the loss of teachers through retirement, and that current data collection for most countries does not include relevant indicators for age in relation to gender;

- given the current and projected shortage of teachers and the need of hard-pressed countries to sharply increase the number of teachers, ILO and UNESCO should endeavour to undertake the following studies:

1. for Sub-Saharan Africa: a study of voluntary teachers and paraprofessionals and their impact on the quality of education, the status of teachers, and the financial efficiency in the education system;

2. the impact of health issues (HIV/AIDS, Tuberculosis) on the strength and structure of teaching service;

3. the prevalence and impact of multiple jobs on teachers;

4. a study of the contract status of higher education teaching personnel, because that the issue directly relates both to quality, or lack of thereof, in higher education and to abuses of professional and working conditions.

84. The working group also noted the absence of statistics on teachers in special education, and on promotion and advancement of teachers. It recommends consideration on these areas for future work.

## **Allegations on Non-Observance of the Recommendations**

### ***Allegations received since the Seventh Session, 2000***

85. Since the last session in September 2000, seven communications were received from individuals or teachers' organisations relating to the application of the 1966 Recommendation. Of those, two were properly receivable, according to the criteria and procedures of the Joint Committee, one of which was received too late to be considered at the present Session. The remainder were deemed to be non-receivable according to those criteria and procedures, although, where appropriate, they were redirected for consideration by other competent bodies.

86. The one new allegation receivable which could be considered by the Joint Committee complained of a failure by educational authorities in Japan to consult, negotiate or cooperate with teachers' organisations in accordance with the various provisions of the 1966 Recommendation. The communication also complained that recently introduced systems related to teachers perceived to be incompetent and the scheme for rewarding of teachers considered to have demonstrated excellence in their work were in discord with specific provisions of that instrument. The Joint Committee examined this allegation carefully. Its summary of the substance of the allegation and findings and recommendations to the competent bodies of the ILO and UNESCO and to the Government and teachers' organization of Japan are set out in Annex 2 to this Report.



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87. The second allegation received concerning Bangladesh was deferred for consideration in accordance with the applicable procedures. A report concerning this is set out in Annex 2 of this report.

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

88. At its Seventh Session, the Joint Committee considered nine allegations from teachers' organizations concerning eight countries. The action taken on these allegations is contained in the report of the Seventh Session (CEART/7/2000/10 and Annex 2). Of these nine, five allegations were referred for further action by Governments and teachers' organizations as appropriate, as well as examination by the Joint Committee at its Eighth Session according to the applicable procedures. A summary of action taken with regard to two of them (Senegal, Federal Republic of Yugoslavia) is set out below and with regard to the other three (Burundi, Ethiopia, Japan) in Annex 2 of the present report.

89. An allegation received from the Single and Democratic Teachers' Union of **Senegal** (SUDES) complained of the policy and implementation of a program of use of 'volunteer teachers'. The Joint Committee in its 2000 Report noted efforts to improve the initial training of volunteers and expressed concern with the evidence of the continuance of the volunteers program. It invited the Government and SUDES to consider assistance from the ILO and UNESCO in the most appropriate form to help resolve the remaining difficulties with regards to the volunteer policy, consistent with the provisions of the 1966 Recommendation. No further information was received either from the Government of Senegal or from SUDES following the 2000 Report. In absence of further communications of either the Government or SUDES, the Joint Committee assumes that there is no further action required to be taken by it at this stage.

90. An allegation received from the Educational Professionals in Vojvodina (SPRV), **Federal Republic of Yugoslavia**<sup>22</sup> complained of low remuneration and delays in salary payments resulting in teachers' poverty. Based on legal advice the Joint Committee decided to postpone consideration until further information had been received from SPRV and the Government in accordance with approved procedures. No further information was received from the Government of the Republic of Serbia and Montenegro since the 2000 Report. The Joint Committee has accordingly been unable to give further consideration to the allegation.

### *Improvements in the procedures for consideration of allegations*

91. In the course of its Eighth Session, the Joint Committee's Working Party on Allegations reviewed procedures related to its handling of communications from teachers' organizations on non-observance of the Recommendations' procedures. On the basis of its recommendations, the Joint Committee reiterated the need to adhere to procedures and timelines concerning such communications figuring in its revised mandate and in its previous reports, especially those decided at its Sixth Session in 1994<sup>23</sup>.

92. With regard to other sources of information to help clarify matters of fact or interpretation

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<sup>22</sup> The country's name has since changed to the Republic of Serbia and Montenegro.

<sup>23</sup> CEART/VI/1994/12 (paragraph 30).

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concerning allegations, and with regard to consideration of cases relating to individual human rights of teachers, the Joint Committee decided:

- a) to request the secretariat to further explore other reliable sources of information, including through the good offices of the United Nations Special Rapporteur on the Right to Education;
- b) to request the secretariat further to explore how the UN Special Rapporteur may receive, examine and report to the Joint Committee on communications which may not be receivable under the Joint Committee's recommendations;
- c) that requests for direct testimony of interested parties in a particular case before it would be entertained on a case by case basis in accordance with needs of the Joint Committee, and subject to the understanding that all interested parties would be invited and able to participate.

These working methods will be reviewed prior to or at the Ninth Session of the Joint Committee, taking into account the legal advice provided by UNESCO and the ILO.

## Activities to promote the Recommendations

93. The Joint Committee notes an impressive range of activities carried out by the ILO and UNESCO, separately or jointly, as well as by its members, to promote knowledge of the 1966 and 1997 Recommendations. Despite obvious resource limitations, the two organizations are encouraged to continue close cooperation to promote these very important international standards.

### World Teachers' Day

94. The Joint Committee considers that the active celebration each year of World Teachers' Day on 5 October, the anniversary of the adoption of the 1966 Recommendation, continues to offer a major opportunity for promoting the two Recommendations' provisions. The joint messages signed and promoted by UNESCO, the ILO, UNDP and UNICEF focus public attention on the status of teachers and the importance of education in the context of various themes drawing attention to the two Recommendations. The widely publicised launch in 2002 of the ILO/UNESCO publication, *A Statistical Profile of the Teaching Profession* helped raise public awareness of teachers' - and society's - plight relating to the declining status and conditions of the profession. An excellent national example of the types of activity was the production by the UNESCO office in Pakistan of a most useful monograph entitled *Status of Teachers in Pakistan* for use in conjunction with the celebration of World Teachers Day, 5 October 2002. The Joint Committee recommends that the promotional opportunity of World Teachers' Day should be enhanced by closer cooperation with international and national teachers' organizations which already devote considerable resources to this effort, but also political leaders, employers and businesses, and representatives of other educational stakeholders. These activities should be undertaken in a timely way to maximize the promotional aspects.

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## Use of the Internet

95. The World Wide Web increasingly represents a vital source of information sharing in all domains of modern life. The Joint Committee requests that the ILO, which maintains the CEART Website in cooperation with UNESCO, should take all feasible steps to update the CEART site with relevant information and an attractive format so as to encourage the greatest access and use of major constituents of the site dealing with the Joint Committee, its mandate, and relevant activities and reports. Means should be examined to encourage greater interaction of governments, private educational employers, teachers' organizations and other stakeholders with the Joint Committee without threatening its independence and impartiality.

## Written materials

96. The Joint Committee expressed its continued disappointment that only limited progress had been made in an update of the brochure on the status of teachers first produced in 1984. This publication remains an important potential instrument for promoting the 1966 Recommendation. Such a publication can give interpretations for use by educational authorities and teachers' organizations on the Recommendation's provisions and new developments in education relevant to the standard over the last 20 years. It is recommended that a simplified version of the publication should be finalized as quickly as possible in cooperation with members of the Joint Committee and published on the Website. In the medium-term, the publication should serve as the basis for more a more detailed tool in the form of training materials or guidelines on application of the Recommendation in national educational systems.

97. The Joint Committee does, however, note with approval that the two organisations have jointly produced and published, in English and French, a most useful booklet entitled "*The 1966 ILO/UNESCO Recommendation concerning the status of teachers: What is it? Who should use it?*". This publication has been given widespread distribution, particularly through national teachers' organizations. It is designed to indicate to the reader the existence, purposes, content and potential use of the 1966 Recommendation, and the role of CEART. The Joint Committee requests that UNESCO and the ILO cooperate to translate this brochure into other languages and to produce similar promotional materials for the 1997 Recommendation, as recommended by international teachers' organizations.

## Future activities to promote the Recommendations

98. The launch of a Flagship on Teachers and Quality in Education within the EFA framework by the ILO and UNESCO, in cooperation with the teachers' organizations, represents a promising new initiative for promoting the status of teachers and their involvement in EFA decision-making. The Joint Committee urges that the geographic scope of the Flagship's activities, and the number of partners involved, should be expanded as rapidly as possible.

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**99.** Similarly, the Joint Committee notes the two-year ILO action programme focusing on teacher shortages during 2004-2005, and urges a concerted approach to integrate the recommendations of this report to better monitor and promote the two Recommendations into this programme, in close cooperation with UNESCO, teachers' organizations and other relevant inter-governmental and non-governmental organizations concerned with teachers' status.

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### **III. Proposed Draft Agenda of the Ninth Session of the Joint Committee**

**100.** The Joint Committee proposed a draft agenda for its Ninth Session in terms set out in Annex 3.

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# Annex 1

## Background Documents for the Eighth Session<sup>24</sup>

### *ILO and UNESCO*

*A Statistical profile of the teaching profession*, Maria Teresa Siniscalco, 2002

### *ILO*

*Assessing the climate for Social Dialogue: Respect for international principles and rights*, 2003.

*Social Dialogue in Education: Country Notes for selected European Countries and South Africa*, 2003.

*Social Dialogue in Education in Latin America: A Regional Survey*, Marcela Gajardo and Francisco Gómez, 2003.

*Survey on social dialogue in education in the Pacific: Participation, consultation and negotiation of teachers and their organizations in education reform*, Susana Tuisawau, 2003.

*Teachers and New ICT in Teaching and Learning: Modes of introduction and implementation: Impact and implications for teachers*, Chris Duke, 2002.

*Teaching and the use of ICT in Hungary*, Eva Tot, 2003.

“Conclusions and recommendations on teaching and the use of ICT: EI/ILO Seminar for Central and Eastern European Countries”, Budapest, 2002.

*Academic tenure and its functional equivalent in post secondary education*, Donald Savage, 2003.

*Academic employment structures in higher education: The Argentine case and the academic profession in Latin America*, Ana M. Garcia de Fanelli, 2003.

*Human capital and the HIV epidemic in Sub-Saharan Africa*, Desmond Cohen, 2002.

*Trends in feminization of the teaching profession in OECD countries*, Cathy Wylie, 2000.

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<sup>24</sup> Does not include introductory documents for the specific agenda items of the Session.

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## **UNESCO**

*Primary teachers count: Ensuring quality education for all*, UIS/UNESCO, 2002.

*Teachers for tomorrow's schools: Analysis of the World Education Indicators*, OECD/UNESCO, 2001.

*Teacher Education Guidelines: Using Open and Distance Learning: Technology, Curriculum, Cost, Evaluation*, 2001.

*Information and Communication Technologies in Teacher Education – A Planning Guide*, 2002.

*Information and Communication Technology in Education: A Curriculum for Schools and Programme of Teacher Development*, 2002.

*Status of teachers in Pakistan, Islamabad*, 2002.

*“Meeting of Higher Education Partners, Paris, 23-25 June 2003: Excerpts of the Synthesis Report on Trends and Developments in Higher Education since the World Conference on Higher Education (1998-2003)”*, 2003.

*Academic Freedom in the Asia-Pacific Region*, Carolyn Allport and Ted Murphy, (*Education International*), 2003.

*The State of Academic Freedom in Sub-Saharan Africa*, Network for Education and Academic Rights (NEAR), 2003.

*“HIV/AIDS and the Role of Education Service Commissions – UNESCO Nairobi Cluster Consultation Draft Report”*, Kampala, Uganda, 16-18 June 2003.

*“HIV/AIDS and Education: Report of a consultation”*, 4 to 6 March, 2003, Kigali, Rwanda.

## **Other organizations**

*“Report to CEART”*, Education International, 2003.

*“WCT Comments on the application of the Recommendation on the Status of Teachers (1966)”*, and *“WCT Comments on the application of the ‘Recommendation on the condition of teaching staff in higher education’ (1997)”*, WCT, 2003.

*“Attracting, Developing and Retaining Effective Teachers: Project Summary”*, OECD, 2003

*What makes teachers tick: A policy research report on teachers' motivation in developing countries*, Volunteer Services Overseas (VSO), 2002.

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## Annex 2

### Allegations Received from Teachers' Organisations

#### A. Allegations received since the Seventh Session (September 2000)

##### 1. Allegation received from the Bangladesh Federation of Teachers' Associations (BFTA)

#### Background

1. Under cover of a letter dated 2 June 2003 addressed to the Secretariat of the Joint Committee, the Bangladesh Federation of Teachers' Associations (BFTA) submitted allegations on the non-observance of the provisions of the ILO/UNESCO Recommendation, 1966 by the Bangladesh Government in relation to what was said to be arbitrary and illegal termination of teachers considered to have expressed views unacceptable to the Government, and the forced retirement of older teachers prior to normal retirement age. It is further alleged that there has been a general harassment and repression of teachers and the arbitrary closing down of many thousands of education institutions, to the point that the whole education system is in crisis. BFTA also asserts that education committees are being formed without proper consultations. There are also complaints related to non-payment of proper salaries, due promotion of teachers and the need for reduction of teacher-student ratios.

2. In accordance with approved procedures, the Joint Committee will request the Bangladesh Government to submit its observations on the allegations.

#### Recommendations

3. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO:

- take note that the Government of Bangladesh has not been afforded an opportunity to present its observations on the allegations and that further consideration of them has been postponed until such information is provided, or a reasonable time has elapsed, as set out in the allegations procedures;
- invite the Government of Bangladesh to send its observations on the points raised as soon as possible, and request the Government and BFTA to keep the Joint Committee advised as to further developments, for review in accordance with a
- invite the attention of the Committee on Freedom of Association of the ILO to the possibility that the allegation made may involve some aspects falling within its mandate.



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

### **Background**

1. Under cover of a letter dated 28 June 2002, addressed to the Secretariat of the Joint Committee, the All Japan Teachers and Staff Union (ZENKYO) submitted allegations on non-observance of the provisions of the Recommendation concerning the Status of Teachers, 1966 by the Government of Japan, in relation to the introduction of a system of evaluation of teachers and its mode of implementation and also the introduction and operation of what is said to be a new merit rating system.
2. On or about 24 September 2002, ZENKYO further supplied supplementary documentation in support of its allegations and provided detailed illustrations of a number of the matters asserted.
3. The Joint Committee requested the appropriate Ministry of the Government of Japan to present its observations on the allegations and the supplementary material supplied by ZENKYO.
4. On 3 March 2003 the Ministry of Education, Culture, Sports, Science and Technology (“the Ministry”) transmitted its written response to the Joint Committee.
5. In accordance with its procedures the Joint Committee invited ZENKYO to provide its observations on the information supplied by the Government and any additional information concerning recent developments that it felt would be helpful to the Joint Committee. ZENKYO replied to that invitation on 21 April 2003 in writing, addressing elements of the Government response. Further written observations of the Ministry and supporting documents in relation to the reply by ZENKYO were received on 26 June 2003.

### **Findings and recommendations**

6. The submissions of both ZENKYO and the Government ranged over a substantial number of topics and practical situations, but, distilled to the essence, they identify a limited number of core issues. The Ministry has recently initiated new systems to deal with teachers perceived to be incompetent (in the sense of having been repeatedly evaluated as being unable to conduct effective teaching and class management) and also reward teachers who have demonstrated excellence in their work through special promotions and by direct financial benefits.
7. A consideration of the material supplied by the parties indicates that they are in conflict as to a substantial volume of factual detail, which would only be capable of resolution by an appropriate fact-finding mission. However, the Joint Committee considers it premature to seek to mount such an exercise before a full discussion of the issues raised.
8. It will be convenient to discuss each of these two systems separately. However, there is one aspect that is common to both, which ought to be identified at the outset.

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9. Clause 9 of the Recommendation states, as a guiding principle, that teachers' organisations should be recognised as a force that can contribute greatly to educational advance and which, therefore, should be associated with the determination of educational policy. So it is that Clause 10 (k) further states that "*there should be close cooperation between the competent authorities [and, inter alia,] organisations of teachers, for the purpose of defining educational policy and its precise objectives*". Those themes are further expanded in Clauses 44, 49, 75, and 124. In essence, such clauses propound the following principles:

- (a) in order that teachers may discharge their responsibilities, authorities should establish and regularly use recognised means of consultation with teachers' organisations on such matters as educational policy, school organisation, and new developments in the education service;
- (b) teachers' organisations should be consulted when the machinery to deal with disciplinary matters is established;
- (c) promotion should be based on an objective assessment of the teacher's qualifications for the new post, by reference to strictly professional criteria laid down in consultation with teachers' organisations; and
- (d) no merit rating system for purposes of salary determination should be introduced or applied without prior consultation with and acceptance by the teachers' organisations concerned.

10. ZENKYO asserts that not only have the new systems been developed without proper consultation between it and the Ministry and/or actual employing authorities (education boards at prefecture level), but also that education authorities have *refused* to engage in dialogue with ZENKYO. ZENKYO stated that the Ministry rejected a written request to meet with the union on the issue of dealing with incompetent teachers and that almost every education board has refused to enter into negotiations on the grounds that the issues are "*items concerning administrative and operational affairs*". Similarly, ZENKYO alleged that education boards have refused proper consultation with unions concerning the development of the teacher assessment system on the ground that it relates to "*a management matter that requires no consultation*".

11. Leaving aside the detail of the two systems, to which the Joint Committee will return, it is to be noted that the responses of the Government do not refute the substance of the assertions in paragraph 10. As to the development of the system of dealing with incompetent teachers, the initial Government response does not suggest that any relevant consultations or discussions were in fact held with teachers' organisations. It relied on Article 55.3 of the Local Public Service Law as a mandate for the proposition that the problem of incompetent teachers "*qualifies as an item related to the management/operation of a local government body*" and is thus not "*subject to negotiation*". That stance re-emerges in the material delivered on 26 June 2003. In relation to the area of teacher assessment, the Ministry merely commented that there had been opinions collected from and discussions with teachers' groups. The Joint Committee construes that reference as being to groups of teachers, rather than teachers' organisations, as such.

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12. In the above circumstances, the Joint Committee concludes that the allegation of failure to consult in manner contemplated by the Recommendation is correct. In this regard it makes the point that it is unhelpful to seek to categorise aspects as being matters of administration or management, as a basis for contending that this then automatically excludes them from the application of the Instrument. The Recommendation distinguishes between “*negotiation*” and “*consultation*” between education authorities and teacher organisations. Some of the topics in dispute fall within the requirement to consult. The Joint Committee stresses that the Recommendation necessarily touches on a wide variety of topics that may well be matters of that nature, but which also have an important impact on the work environment and professional responsibilities of teachers and, ultimately, their status. The 1966 Recommendation does not remove the subject from management authority, but teachers’ organisations should be involved in establishing the processes and methods for addressing the results of evaluations. The Joint Committee entertains no doubt that the evolution and practical application of the systems here under consideration fall fairly and squarely within the ambit of operation of the relevant clauses of the Recommendation, to which reference has been made.

## Teacher competence

13. In the documentation submitted by it, ZENKYO sought to submit a variety of practical case studies to illustrate detailed complaints that it made concerning the personnel management system to which it directs its criticism. The Government response sought to refute allegations made, saying that many of the points sought to be relied on are based on misunderstandings and facts not accurately conveyed. As previously indicated, the Joint Committee does not propose, at this time, to attempt to resolve detailed disputes over facts. Rather, it, initially, seeks to address important conceptual issues involved, as the resolution of them ought, in the future, also to resolve many individual cases in contention.

14. The primary complaints advanced by ZENKYO are:

- (a) a new system of dealing with teachers deemed incompetent was put into effect on 11 January 2002;
- (b) if, in the judgment of an education board, teachers are unable to carry out effective teaching and class management and have not improved after appropriate measures (including in-service training), they may be transferred to non teaching positions or, in effect, forced to leave the teaching service if no suitable transfer position is available;
- (c) the criteria to be applied in arriving at a judgment are entrusted to education boards and vary significantly from prefecture to prefecture;
- (d) teachers are essentially in the hands of school principals, who can and do submit adverse reports to education boards without the teachers concerned seeing such reports and without any guarantee of an opportunity to make adequate representations in answer to them;

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- (e) there are no adequate rights of appeal or redress against a designation as being a teacher of insufficient ability; and a teacher separated from a teaching post for remedial training has no guarantee of returning to his or her former teaching position on successful completion of that training. Moreover, the nature of training is in the hands of education boards and may, specifically, be for a position other than teaching;
  - (f) the system is not transparent and impartial. Teacher representatives are not included on committees that consider the reports, not infrequently the composition of those bodies is not disclosed, and there is no representation permitted before them of teachers under consideration.

In short, the ZENKYO allegation complains of what it says is a patent lack of due process.

15. The Joint Committee understands that the Ministry has espoused a system developed by the Tokyo Metropolitan Board of Education, as implemented in 2000, and promoted it to other prefectures. This system is based upon the premise that, when principals or other supervisory personnel observe teacher conduct which falls within a range of guideline examples of insufficient ability, they are to provide the teacher with guidance and advice for improvement. Records of that guidance and advice and results achieved are said to serve as a basis for any subsequent report of insufficient ability that may be sent to a relevant education board. It is said that, when principals or other supervisory personnel intend to make a report on a teacher deemed as having insufficient ability, that teacher is informed before the report is made and his or her opinions about being so reported upon are recorded and attached to the report. The report and any such opinions are then considered by an evaluation committee, which makes a final determination.

The Ministry stresses that determinations are based on objective criteria, as to which it has given guidance to education boards.

16. The Joint Committee notes these features of the system, as described in the Government response:

- (a) teachers considered to be incompetent are assisted in two stages. A prefectural board determines when teachers lack the ability to perform effectively. Based on reports such teachers receive additional guidance and training. Teachers who inappropriately guide their students and already have received guidance or training to improve teaching ability are redeployed to non-teaching positions, where these are available;
- (b) the response falls far short of indicating due process in relation to the consideration of adverse reports to a prefectural board. Whilst it indicates that, in a survey of such boards, “*no one indicated that they do not intend ... hearing the opinions of a teacher undergoing review as a possible teacher with insufficient ability*”, there is no evidence of a general right of a teacher to be fully informed of the content of reports made, to appear and be heard, or any rights of appeal at any level, save that there is an appeal to the Personnel Committee against a

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dismissal, reassignment to a non teaching post, or a requirement to take leave of absence. The view is expressed that measures to require specific training to improve teacher qualities and abilities are not detrimental to teacher interests and are excluded from any appeal to the Personnel Committee;

- (c) it is accepted that where an adverse report is sent by a principal to a board with the views of a teacher attached, no further opportunity is given the teacher to make representations. However, it does not appear that there is any requirement that the actual proposed report be placed before a teacher for expression of views. It seems to be assumed that the principal will have discussed the substance of any adverse comments made with the teacher during earlier guidance and advice sessions;
- (d) the Ministry concedes that the publication of the identities of committee members is a matter for discretion of individual boards, with the understanding that the release of names could result in pressure being applied to them or their families, thereby precluding unbiased judgments.

**17.** A series of clauses of the Recommendation apply to situations described above. These need to be considered in their totality. Their effect is as follows:

- (a) Clauses 45 and 46 make the points that stability of employment and security of tenure in the teaching profession are essential in the interests of both education and individual teachers; and that teachers should be adequately protected against arbitrary action affecting their professional standing or career;
- (b) Clause 64 stipulates that where any kind of direct assessment of a teacher's work is required, such assessment should be objective and its content made known to the teacher. It also specifically states that teachers should have a right to appeal against assessments that they deem to be unjustified;
- (c) Clause 50, taken together with Clause 64, means that any assessments made in reports may lead to eventual action of a disciplinary nature, such as dismissal arising from perceived breaches of professional conduct. These also contemplate due process, involving full knowledge of the actual content of reports made, adequate rights of representation and to be heard, and an effective right of appeal.

**18.** The Joint Committee considers that the present system, as described by the Ministry, falls significantly short of meeting the standards of the Recommendation. The fact that, as is asserted by the Ministry, a relatively few teachers are involved in the processes described above does not serve to rebut such a conclusion. That system does not ensure that the specific content of any adverse report is made available to the teacher concerned, the teacher is therefore not guaranteed an effective opportunity of challenging and refuting what is said. There is no right to be heard before the Committee dealing with the matter, and, except in a very limited respect, there is no right of appeal. Insofar as prefectural boards decline to identify the membership of committees, the processes are by no means open and transparent.

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19. Moreover, in the collective experience of the members of the Joint Committee, it seems inexplicable and contrary to normally accepted approaches to exclude practising teachers from bodies making such fundamental decisions, relating, as they do, to professional teaching issues and competencies. The exclusion of persons with such direct expertise tends to put in question the validity of the decision-making process. The Joint Committee does not find the reason for secrecy of committee membership compelling, particularly as this has not been the experience in other countries.

20. The Joint Committee therefore strongly recommends that the system of assessment of competency and the processes related to and consequent upon it be reconsidered, with a view to aligning them with the provisions of the Recommendation. It cannot accept the proposition that what is involved is simply a matter of local administration and management, falling outside the ambit of operation of the Instrument.

## Merit assessment

21. The Recommendation clearly accepts that an employing authority can develop and implement a fair and proper system of merit assessment of teachers; and that this may constitute a basis for salary preferment. However, as previously recited, Clause 124 expressly states that no merit system for purposes of salary determination should be introduced or applied without prior consultation with and acceptance by the teachers' organisations concerned. Clause 64 of the Recommendation, also previously referred to, applies to this type of assessment as well. It envisages the establishment of objective criteria and specific rights of appeal.

22. The rationale for this principle is that, in the experience of the Joint Committee, many merit schemes implemented in the past have not operated fairly and successfully and have ultimately been abandoned. Success depends upon both a very careful definition of truly objective criteria and also the erection of a system of administration which is patently transparent and fair; including the provision of proper safeguards against abuse, such as effective rights of review by or appeal to an independent and suitably qualified body.

23. In its allegation ZENKYO advances these criticisms:

- (a) the system currently propounded was developed without adequate consultation with and acceptance by the teachers' organisations involved. Indeed, requests for consultation have been refused on the ground that the system is a management matter that requires no consultation. (This conflicts with the recent assertion of the Tokyo Board of Education that it, in particular, has taken "*many opportunities to hear the opinions of teachers organisations and exchange views with them*");
- (b) it involves an "*absolute*" (i.e. criterion referenced) assessment by deputy principals and principals, coupled with a "*relative*" (i.e. non-referenced) assessment by a superintendent, who may have the overview of as many as 15,000 teachers. There is, accordingly, a substantial subjective component involved by reason of the latter assessment;

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- (c) the process commences with a mandatory “*self assessment*” by the teacher, which the principal or deputy may require to be “*re-done*”;
  - (d) the competitive nature of the assessment is such that, in practice, it tends to be antithetic to the existence of collaborative collegiality among teachers and may well operate to pervert individual professionalism in order to secure a grading based on student results;
  - (e) the proposed system is not truly transparent, because disclosure of assessment results is discretionary and has recently been suspended. A system of appeals against assessments has yet to be established;
  - (f) the proposed system does not attract the confidence of teachers generally. It has, in practice, had a deleterious effect on morale and motivation. It has given rise to undesirable breakdown in trust between principals, as evaluators, and evaluated teachers.

24. The Ministry has sought to rebut those criticisms in a number of ways.

25. Fundamentally, it denies the applicability of Clause 124 of the Recommendation to the assessment system -- on the basis that the evaluation of work performance system espoused by it is not a “*merit rating system for the purpose of salary determination*”, as contemplated by that clause. Rather, its main purpose is to develop teachers’ skills. The Ministry states categorically that the personnel evaluations will not determine salaries and, consequently, the system is unrelated to working conditions.

26. As earlier recited, it contends that the evaluation system was developed by a widely based Committee whose “*efforts included the collection of opinions from and discussions with teachers’ groups*”.

27. The Ministry rejects the proposition that assessments made are not fair and objective. It is said that all supervisory personnel undergo evaluator training and evaluations are based on classroom observations.

28. In response to the criticism that evaluation results are not disclosed to teachers, the Ministry states that “*in reality accomplishments and points needing improvement are discussed in specific terms in private meetings with teachers. Specific advice is provided to teachers at these meetings, which are intended to encourage skill development. Therefore, the disclosure of results and opportunities for teachers to express their views are, in fact, guaranteed*”. The Joint Committee notes that, in the final response of the Tokyo Metropolitan Board of Education, it is said that, under the scheme implemented by it, rights of disclosure are “*guaranteed under the current institutional framework*”. This is coupled with the statement that “*Re: the criteria and process of the personnel evaluations system, teachers, teachers’ organisations etc can file a request with the Personnel Committee for corrective action. If such a request is turned down, they can appeal to a Court as a case of unlawful administrative disposition*”.

29. Finally, the Joint Committee understands the stance of the Ministry to be that the implementation of the evaluation system is a matter of administration and management, to which the Recommendation has no application.

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**30.** The Joint Committee finds puzzling the assertion of the Ministry that the new system is not a merit rating system, for the purpose of salary determination, in light of what is said to be the object of the relative assessment component, namely “*for the purpose of appropriately linking the result to pay, promotion and other personnel matters*”. Moreover, the most recent response of the Ministry clearly states that, in order to heighten the morale of teachers, it is desirable “*that teachers who achieve good results should be evaluated appropriately, and the resulting evaluation should be aptly related to treatment including salaries*”. The Ministry does not specifically comment on the unequivocal statement by ZENKYO that a new, discriminatory, performance-related pay level and personnel system, based on teacher evaluation, has already been introduced in Tokyo Metropolis and also the Kagawa Prefecture. Whatever may be the true factual situation, it must be concluded that, at the very least, the system certainly falls squarely within the aegis of Clause 64. The Joint Committee rejects any suggestion that the Recommendation has no application to the situation, either because it is a pure managerial system, or otherwise. The expression of the Recommendation is unequivocal.

**31.** Based on the parties’ submissions, the Joint Committee concludes that the new system of teacher evaluation has been evolved in a manner inconsistent with the Recommendation, in that:

- (a) there has been no adequate process of consultation with teachers’ organisations, as contemplated by the Instrument;
- (b) it plainly involves the making of significant subjective evaluations;
- (c) teachers are not entitled to access to the precise evaluation made and its basis. In this regard the discussions in private meetings adverted to by the Ministry by no means guarantee the provision of specific information in the above regard. The teachers concerned remain in ignorance of the ultimate conclusions come to by evaluators and the basis of them. Further, the “*guarantee*” adverted to by the Tokyo Metropolitan Board of Education appears more related to appeals against criteria rather than disclosure of the content of individual evaluations. The separate statement by the Board that “*The Tokyo BOE believes that it is in principle necessary to disclose the evaluation results to the teacher in question. The timing and the range of such disclosure is now under study*” clearly implies that there is no current disclosure process in place; and
- (d) there is certainly a lack of openness and transparency in the process and a total absence of specific rights of review or appeal in relation to the evaluation itself, by way of contrast with the criteria and process aspects.

**32.** The Joint Committee considers it inappropriate to comment further as to matters of detail at this juncture because there are contentious factual issues as yet unresolved. The Joint Committee reiterates its opinion that, in any event, if by goodwill and proper dialogue, the key issues of non-compliance can be resolved, the other matters in contention are likely to abate and what appears to be a regrettable breakdown in relationships between ZENKYO and the relevant Government agencies may well be resolved. As to this, the Ministry and the relevant teachers’ organisations may find it beneficial to involve senior officers of the Joint Secretariat as consultants or mediators to assist them in arriving at some mutually acceptable outcome.



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33. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO:

- (a) take note of the situation as described above;
- (b) communicate the above findings both to the Government of Japan and ZENKYO, requesting the parties to enter into dialogue with a view to addressing the areas of non-compliance with the Recommendation in a constructive manner; and
- (c) request that the Government and ZENKYO keep the Joint Committee informed of developments with regard to these problems, and that such information be examined in due course, in accordance with approved procedures.

## **B. Further Developments in Allegations Previously Received**

### ***1. Allegation received from the Educational Workers' Union of Burundi (STEB)***

#### **Background**

1. The allegations of non-observance by the Government of Burundi concerning the status of teachers in respect of salaries is fully described in the report of the Seventh Session of CEART (2000)<sup>25</sup>.

2. These were first submitted by STEB by facsimile letter dated 30 September 1997 to the Director-General of UNESCO, followed up by additional information by STEB submitted by letter dated 14 October 1998. The Government's reply, dated 7 April 1999, was forwarded to STEB on 28 May 1999, and STEB in turn submitted its further comments to the Joint Committee on 30 September 1999.

3. In essence, STEB had claimed that teacher salaries were low in comparison with other public or private occupations, that family allowances were inadequate, and that the Government still refused to negotiate in spite of repeated strikes.

4. In response, the Government stated that new legislation for government officials was adopted in January 1999, that an allowance was granted to teachers, and that a joint committee (Ministry of Education/unions) had been established on 13 November 1998 in order to examine the applicability of the 1966 Recommendation in the country. Concerning STEB's request for a salary increment, the Government stated that this should be viewed in the context of the unprecedented socio-economic crisis affecting the country.

5. STEB's response was that the "special provisions" for teachers in the new legislation had not been specified or implemented, that the allowances were insignificant in view of the inflation in the country, that the newly-formed joint committee had been appointed by the government and not by the unions, and that the committee de facto existed in name only because its function concerning the applicability of the 1966 Recommendation had never been defined and that it had been convened only once.

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<sup>25</sup> CEART/7/2000/10, Annex 2, I.B.

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6. These STEB comments were forwarded to the Minister of Education of Burundi twice, once by letter dated 31 January 2001 from the Acting Assistant Director-General of UNESCO, and again via a request by the Joint Secretariat of UNESCO to the UNESCO Chief, a.i., of the UNESCO Field office in Bujumbura.

7. No response has been received to date; nor has STEB communicated further with the Director-General of UNESCO or the Joint Secretariat.

## Findings

8. The Joint Committee, accordingly, is still unable to make a final consideration of the allegation in absence of the information requested.

## Recommendations

9. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO:

- a) take note of the situation of the situation described above;
- b) communicate the above findings to the Government of Burundi and to STEB, urging the Government to submit its observations on the most recent information supplied by STEB, so that the Joint Committee can review the information supplied by both parties.

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

### Background

1. Details of this allegation, which stems from a communication originally considered by it in 1994, are set out in the report of the Joint Committee at its Seventh Session in 2000<sup>26</sup>.

2. In that report the Joint Committee concluded that there did not appear to have been significant improvements in the status of teachers since 1997, as suggested by the continuing poor salary situation, forced transfers and tensions over language instruction as a matter of educational policy. Serious concerns remained in relation to allegations of politically and ethnically based transfers or dismissals of teachers, imprisonment or detention, and even deaths and disappearances of teachers, in a manner which threatens stability and quality of educational provision in certain regions. It further noted what was said to be a climate of non co-operation and ineffective consultation between the Government and teachers and their organisations, against the background of serious problems with regard to respect for fundamental rights of freedom of association evidenced by a continuing Case No 1888 of the Committee on Freedom of Association of the ILO's Governing Body. The Government was urged to take steps to restore a healthy partnership that recognised the important role of teachers and their democratically elected representatives in improving education through consultations and negotiation. The Government was also requested to take steps to address the

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<sup>26</sup> CEART/7/2000/10, Annex 2, 2.C.

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remaining problems highlighted in the report and, in doing so, to avail itself of all possibilities for international assistance, including those offered by a direct contact mission by members of the Joint Committee as set out in the report.

3. Following its examination by the Governing Body of the ILO (March 2001) and the Executive Board of UNESCO (May-June 2001), the Joint Committee's report, including its analysis of the further developments that had been notified to it, was sent to the Government of Ethiopia and to EI, acting on behalf of the ETA in June and July 2001.

## Further developments

4. The Government of Ethiopia responded to the earlier communications received from EI with written observations dated 11 June 2003. In essence, it referred to new education and training policies promulgated in 1994 which, *inter alia*, were said to give special emphasis to the training of teachers in order to develop their knowledge skills and attitudes. There was, the Government said, a new career structure for teachers based on professional growth, performance and experience. There were also opportunities afforded teachers to upgrade their professional skills and qualifications, which in turn, would lead to promotions and commensurate salary increments. The Government pointed to the decentralised nature of the education system, with schools and teacher training institutions being under the control of the regions in which they are located.

5. The Government denied any lack of co-operation or ineffective consultations with teachers and asserted that it consulted teachers in all of its educational endeavours. It made the point that the teachers' association is represented on district educational boards as well as in the schools. It pointed out that Ethiopia is one of the poorest countries in the world and that the Government spends, on average, seven times the annual per capita income on teachers' pay, which is, in any event, higher than that of any other profession in the civil service.

6. As to allegations of forced transfer of teachers, the Government noted that it faced a major problem of concentration of teachers in cities and towns, with severe shortages of teachers in the rural areas. It asserted that it had done no more than deploy teachers from schools that were overstaffed to schools where they were badly needed. This had, it was said, been done in regional consultations with teachers.

7. In responding to allegations that unqualified people were employed in the teacher inspection process, the Government said that teacher appraisals were conducted by a combination of department heads, school principals, peers, students and parents. It contended that both students and parents had a proper and valuable contribution to make from their respective perspectives.

8. The Government sought to refute allegations of harassment and repression of the ETA and its members by saying that the right to assemble and establish professional associations was enshrined in the Constitution of the country and that there was, in fact, no harassment or repression of the rights of individuals or groups. It did not deny that, at times, some individuals might violate the law, but contended that any such violations were corrected or settled through the court processes.

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9. Finally, the Government defended its right to insist on education being conducted in the mother tongue and accepted that it was not in the interests of its people to use that language without providing appropriate and adequate materials and trained teachers. (This was in response to an allegation that such instruction was, in fact, being carried out by inadequately trained personnel and without the supply of necessary teaching materials).

10. The Joint Committee also received two recent communications from the ETA and from EI in relation to the situation in Ethiopia dated 17 and 30 June 2003 respectively. The communications are not specifically in response to the above observations of the Government. The essential thrust of the information in the communications is that the Government has established and fostered a new professional association with precisely the same name as the ETA and has taken a series of repressive actions against the pre-existing body of that name, which has always been independent of the Government. Those steps are said to involve harassment of teachers and attempts to require them to disassociate themselves from the independent body, the unwarranted imprisonment and, in one instance murder, of members of that body, and the seizure or freezing of its assets. It is also asserted that steps have actively been taken to either prevent or inhibit the independent body from pursuing conferences and other professional activities. It is also said that court decisions favourable to the pre-existing ETA, both generally and with respect to its property, have not been given effect.

## Findings and conclusions

11. It will be observed that it is difficult to reconcile the observations of the Government with the continuing strong assertions of EI on behalf of the ETA. The Joint Committee appreciates the effort made by the Government to clarify the issues since its last report in 1995. It notes the efforts made: towards greater teacher professionalism in the form of a new career structure for teachers based on professional growth, performance and experience, as well as opportunities afforded teachers to upgrade their professional skills and qualifications; the reported difficulties with balanced teacher deployment; the challenge of ensuring adequate salaries in a poor country as Ethiopia; the attempts to involve a wide strata of educational stakeholders in teacher appraisal; changes in instructional policy in the mother tongue; and the context of educational decentralization.

12. While noting that there are many legitimate educational goals behind most of these policies, and in the absence of specific information from EI or ETA concerning them, the Joint Committee recalls that almost all of the measures indicated by the Government are the subject of provisions from the Recommendation. These provisions should be used as guidance in further developing and applying policies and measures for a healthy teaching profession in Ethiopia. Accordingly, a more detailed examination of the Government's policies in relation to the Recommendation's provisions would seem to be in order.

13. The Joint Committee considers that a fact-finding approach to ascertain the true situation is highly recommended. To that end it considers that this is a matter in which the assistance of the United Nations Special Rapporteur on the Right to Education should be sought, or consideration given to other means of obtaining a clearer picture such as through the newly created Flagship on Teachers and Quality within the Education for All (EFA) framework.

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This programme is led by the ILO and UNESCO, in partnership with others, including EI, and seeks improvements in teachers' status and social dialogue in education in order to meet the goals of EFA set out in the Dakar Framework for Action. Further, based on the results of such fact-finding, additional options in the form of technical advisory services and/or social dialogue forums involving the Government, ETA and other educational stakeholders, as appropriate, should be carried out within the EFA Flagship. These would help to assist in defining policy options which would better address the needs for quality teaching in line with the Recommendation's provisions and the financial and other constraints faced by the Government.

14. As to the issues related to freedom of association, the Joint Committee recognises that this is more appropriately within the competence of the Committee on Freedom of Association of the ILO's Governing Body. It urges that committee to continue its efforts to assist in the resolution of what appears to be a most serious situation in that regard.

### Recommendations

15. Accordingly, the Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO:

- (a) take note of the situation as described above;
- (b) encourage and facilitate the continuing involvement of the Committee on Freedom of Association of the ILO's Governing Body, with a view to attempting resolution of the freedom of association aspects of the allegations;
- (c) request the United Nations Special Rapporteur on the Right to Education to consider investigating the other matters alleged by EI and ETA, with a view to reporting the factual findings related to them to the Joint Committee for its further consideration;
- (d) invite the Government, EI and ETA to consider additional fact-finding, technical advisory services and capacity-building for greater social dialogue in education in Ethiopia within the framework of a national programme as part of the EFA Flagship on Teachers and Quality led by UNESCO and the ILO;
- (e) communicate the findings and recommendations of the Joint Committee both to the Government and to Education International, and through it to the Ethiopian Teachers' Association, requesting the parties to keep the Joint Committee informed of developments with regard to the above problems, and that such information be examined in accordance with approved procedures.

### ***3. Allegation received from the Osaka Fu Special English Teachers (OFSET) of Japan***

#### **Background**

1. Details of this allegation are set out in the that the report of the Joint Committee at its Seventh Session in 2000<sup>27</sup>.

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<sup>27</sup> CEART/7/2000/10, Annex 2, 1.C.

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2. In brief, the OFSET addressed a letter to the ILO dated 5 February 1998, concerning allegations with regard to discrimination in terms of remuneration and maternity leave of part-time teachers in Osaka Prefecture, Japan.

3. At the time of the Seventh Session of the Joint Committee observations concerning the allegation had only recently been received from the Osaka Prefectural Board of Education through the Permanent Mission of Japan to the International Organisations in Geneva. However, it had not been possible to transmit these to OFSET for its further observations in accordance with the applicable procedures.

4. Accordingly, the Joint Committee concluded that it was inappropriate to examine the allegation in detail at that time.

### Further developments

5. Despite the fact that the observations of the Osaka Prefectural Board of Education were transmitted to OFSET for its further observations in 2000, with further reminders in 2001 and 2002, no further observations were received from OFSET for a substantial period of time. On several occasions, in response to follow-up communications from the Secretariat of the Joint Committee, the representative of OFSET requested further time within which to respond.

6. Eventually, on 23 December 2002, the representative of OFSET advised the ILO that the organisation no longer wished to pursue the matter. OFSET further advised that since the original communication was sent, many positive changes had occurred in the Osaka Prefectural Board of Education's attitude and approach to OFSET, due in part to the fact that the matter had been communicated to the Government of Japan for a response and its reply. It was further stated that the Board of Education currently recognised the OFSET union and had been negotiating with it in good faith.

### Findings and Recommendations

7. In the circumstances, the Joint Committee considers it unnecessary to further examine the original allegation made by OFSET. It is pleased to note that, following the exchange of information between the Government and OFSET through means of the Joint Committee's procedures for consideration of such allegations, the parties were able to negotiate the matters in dispute to a conclusion satisfactory to both.

8. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO:

- (a) take note of the situation as described above;
- (b) communicate the above findings both to the Government of Japan and to OFSET, commending them for a positive outcome to this matter in the interests of education and teachers, on the basis of social dialogue and consistent with the provisions of the 1966 Recommendation.

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## Annex 3

### Agenda of the Ninth Session of the Joint Committee

1. Election of officers and adoption of the agenda
2. Monitoring of the application of the ILO/UNESCO Recommendation concerning the Status of Teachers, 1966
  - a. teacher education: pre-service and continual
  - b. employment and careers of teachers
  - c. teachers' salaries
  - d. teaching and learning conditions
  - e. social dialogue in education: information sharing, consultation and negotiation
  - f. other provisions of the 1966 Recommendation
3. Monitoring of the application of the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, 1997
  - a. academic freedom in higher education
  - b. employment structures and tenure
  - c. other provisions of the 1997 Recommendation
4. Consideration of allegations received from teachers' organisations
  - a. allegations received since the Eighth Session
  - b. allegations considered at the Eighth Session
5. 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
6. Agenda for the Tenth Session
7. Other questions

# What are the Recommendations on teachers and what is the CEART?

## The Recommendations

The ILO/UNESCO **Recommendation concerning the Status of Teachers** was adopted on 5 October 1966 at a special intergovernmental conference convened by UNESCO in Paris in cooperation with the ILO. It sets forth the rights and responsibilities of teachers, and international standards for their initial preparation and further education, recruitment, employment, teaching and learning conditions. It also contains many recommendations for teachers' participation in educational decisions through consultation and negotiation with governments. Since its adoption, the Recommendation has been considered an important set of guidelines to promote teachers' status in the interests of quality education.

The UNESCO **Recommendation concerning the Status of Higher Education Teaching Personnel** was adopted by the General Conference of UNESCO in 1997, also following years of preparatory work between UNESCO and the ILO. This standard is a set of recommended practices covering all higher education teaching personnel. It is designed to complement the 1966 Recommendation, and is promoted and its implementation monitored by UNESCO in cooperation with the ILO, notably through the Joint ILO/UNESCO Committee of Experts (CEART).

## CEART

The Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (CEART) was set up in 1967 to enable close cooperation between the ILO and UNESCO to monitor and promote the 1966 Recommendation. Reflecting its additional responsibilities to promote and monitor use of the 1997 Recommendation, the Joint Committee's name was changed after its 2000 Session. The new name is the **Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)**, referred to in this report as either the Joint Committee or CEART.

The CEART is composed of 12 appointed members. The ILO and UNESCO appoint six members each. The members act in a personal capacity.

CEART examines reports and information concerning the application of the Recommendations from governments, from national organizations representing teachers and their employers, from the ILO and UNESCO, and from relevant intergovernmental or non-governmental organizations. It then communicates its findings to the ILO and UNESCO for appropriate action.

Another aspect of CEART's work is the examination of allegations from teachers' organizations on the non-observance of the Recommendations' provisions in Member States. After consideration of the content of the allegation, CEART issues its findings and recommendations for the resolution of the problems or conflict.

CEART meets every three years, alternatively at UNESCO Headquarters in Paris and at the ILO in Geneva. The present report is of the session in 2003, hosted by UNESCO.

For the full text of both Recommendations and of information on the CEART:

English: <http://www.ilo.org/public/english/dialogue/sector/techmeet/ceart/main.htm>

French: <http://www.ilo.org/public/french/dialogue/sector/techmeet/ceart/main.htm>

Spanish: <http://www.ilo.org/public/spanish/dialogue/sector/techmeet/ceart/main.htm>