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**GUIDELINES FOR THE PREPARATION OF REPORTS  
FOR THE SEVENTH CONSULTATION OF MEMBER STATES  
ON THE IMPLEMENTATION OF THE CONVENTION  
AND THE RECOMMENDATION AGAINST DISCRIMINATION  
IN EDUCATION (1960)**

**SUMMARY**

Pursuant to 170 EX/Decision 6.3, this document presents revised Guidelines for the preparation of reports for the seventh consultation of Member States on the Implementation of the Convention and the Recommendation against Discrimination in Education (1960). In developing these Guidelines (Annex I), special consideration has been given to education for all (EFA) as UNESCO's high priority.

Decision proposed: paragraph 4.

1. At the 170th session of the Executive Board, the Committee on Conventions and Recommendations (CR) examined the draft Guidelines as annexed to document 170 EX/16 for the seventh Consultation of Member States on the Implementation of the Convention and the Recommendation against Discrimination in Education (1960). Recognizing the Convention as a key pillar in the education for all (EFA) process, the debate underlined the importance of fundamental principles of non-discrimination and equality of educational opportunities, as enshrined in UNESCO's Constitution. Members of CR suggested that "greater emphasis should be put on reaching the unreached in national-level efforts and that the Guidelines deserve to be strengthened [to that end]. The Guidelines should also request Member States to furnish information as regards quantitative indicators on progressive realization of the right to education" (170 EX/39, para. 21).

2. As recommended by CR, the Executive Board adopted 170 EX/Decision 6.3 in October 2004 to further develop the Guidelines. The draft Guidelines for Preparation of Reports for the Seventh Consultation of Member States on the Implementation of the Convention and the Recommendation against Discrimination in Education (1960) have accordingly been developed, pursuant to this decision, and are presented as Annex I to this document.

3. In elaborating these Guidelines, relevant Guidelines of the United Nations system<sup>1</sup> (Annex II), especially those of the United Nations Committee on Economic, Social and Cultural Rights (CESCR), have been taken into consideration. This is intended to facilitate integrating the reporting obligations of the States Parties to the Convention and those of the States Parties to the International Covenant on Economic, Social and Cultural Rights (Articles 13 and 14 on the right to education) and reducing the state burden in reporting. Moreover, the General Comment No. 13 on the Right to Education, elaborated by CESCR in cooperation with UNESCO, elucidates such obligations. The text of the Convention and the Recommendation, of the General Comment No. 13, as well as of the decisions (165 EX/Decision 6.2 and 167 EX/Decision 5.8) taken by the Executive Board having relevance to the Guidelines, can be consulted on the UNESCO website on the Right to Education.

### **Proposed draft decision**

4. In light of the above, the Executive Board may wish to adopt a draft decision along the following lines:

The Executive Board,

1. Recalling 170 EX/Decision 6.3,
2. Having examined document 171 EX/22,
3. Bearing in mind Member States' obligations under Article VIII of UNESCO's Constitution, and recognizing the Convention against Discrimination in Education as a key pillar in the education for all (EFA) process,
4. Approves the Guidelines prepared for the seventh consultation of Member States on the implementation of the Convention and the Recommendation against Discrimination in Education (1960) as contained in Annex I to document 171 EX/22;
5. Requests the Director-General to launch the seventh consultation, soliciting from Member States reports on the implementation of the Convention and the Recommendation, to be prepared and submitted within a period of one year to UNESCO;
6. Further requests the Director-General to report to it at its spring session in 2007 on the results of the seventh consultation in the form of an analytical report, along with a report on the actions foreseen regarding the organization on the sidelines of the 34th session of the General Conference of a meeting of States Parties to the Convention against Discrimination in Education, as stipulated in 165 EX/Decision 6.2 and 170 EX/Decision 6.3;
7. Reminds Member States of the obligation "to make the text of any convention or recommendation known to the bodies, target groups and other entities interested in matters dealt with therein" in accordance with Article 16(2) of the Rules of Procedure concerning Recommendations to Member States and International Conventions, as amended by the General Conference in October 2003.

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<sup>1</sup> Compilation of Guidelines on the Form and Content of Reports to be submitted by States Parties to the International Human Rights Treaties, HRI/GEN/2/Rev.1, 9 May 2001.

## ANNEX I

### **Draft Guidelines for the Preparation of Reports on the Implementation of the Convention against Discrimination in Education (1960)/ Recommendation against Discrimination in Education (1960)**

#### **I. Preliminary remarks**

1. These Guidelines are intended to assist Member States in the preparation of the reports on the implementation of the Convention against Discrimination in Education as well as the Recommendation against Discrimination in Education. Adopted by UNESCO's General Conference in 1960, the Convention<sup>1</sup> and the Recommendation correspond to UNESCO's constitutional mandate to "advance the ideal of equality of educational opportunities without regard to race, sex or any distinctions, economic or social". The Recommendation sought to take into account the difficulties that certain States might experience, for various reasons and in particular on account of their federal structure, in ratifying the Convention. Barring differences in wording and in legal scope inherent to the nature of these two categories of instrument, the content of the Recommendation is identical to that of the Convention. Articles I to VII of the Convention and the Recommendation are identical in wording and contain similar provisions. Like UNESCO's Constitution, the Convention and the Recommendation prohibit discrimination in education "based on race, colour, sex, language, religion, political or other opinion, national or social origins, economic condition or birth".

#### **II. Reporting obligations**

2. Article 7 of the Convention against Discrimination in Education provides that "The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, including that taken for the formulation and the development of the national policy defined in Article 4 as well as the results achieved and the obstacles encountered in the application of that policy". Article VII of the Recommendation against Discrimination in Education carries similar provisions.<sup>2</sup>

3. The reporting period for the seventh consultation on the implementation of the Convention and the Recommendation against Discrimination in Education covers six years (2000-2005).

4. Member States are expected to bear in mind the difference in the legal nature of the obligations under the Convention, as distinguished from those under the Recommendation. The Convention has binding force, and the States Parties to it must incorporate its provisions into the national Constitution or domestic law. The Recommendation, non-binding in nature, has political and moral force. It seeks to take into account the difficulties that certain States might experience, for various reasons and in particular on account of their federal structure, in ratifying the Convention. Member States are expected to give effect to it in national legislation and education

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<sup>1</sup> The Convention, which came into force on 22 May 1962, has been ratified by 90 States. The list of the States Parties to the Convention is attached (Appendix 1).

<sup>2</sup> Article VIII of UNESCO's Constitution states that, "Each Member State shall submit to the Organization, at such times and in such manner as shall be determined by the General Conference, reports on the laws, regulations and statistics relating to its educational, scientific and cultural institutions and activities, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4".

policies. However, it is noteworthy that the reporting obligation under the provisions of Article 7 of the Convention and of the Recommendation are identical.

5. In case your country is a State Party to the Convention against Discrimination in Education, please describe: (i) whether the Convention is directly applicable in domestic law on ratification, or has been incorporated into the national Constitution or domestic law so as to be directly applicable; whether the provisions of the Convention are guaranteed in the Constitution or other laws; and (ii) whether its provisions can be invoked before and given effect to by courts, tribunals and administrative authorities. Information should be given about the judicial, administrative and other competent authorities having jurisdiction with respect to the implementation of the provisions of the Convention. Please illustrate on the basis of available case law and jurisprudence. The practical availability, effect and implementation of remedies for violation of provisions of the Convention should be explained and exemplified. The Report should contain sufficient quotations from or summaries of the relevant principal constitutional, legislative and other texts, which guarantee and provide remedies in relation to Convention rights.

6. In case your country has not adhered to the Convention so far, you may like to indicate in the Report whether your country is envisaging doing so.

7. Even if your country is not a State Party to the Convention, given political commitment to and moral force of the Recommendation against Discrimination in Education and the reporting obligations under the Recommendation mentioned above, please describe whether legislative measures have been taken pursuant to the Recommendation and the ways in which national education policy and programmes correspond to its provisions. Information supplied by Member States should demonstrate how laws and practices comply with commitments under the Recommendation, describing legal norms as well as the factual situation.

### **III. General indications**

8. The Report should describe the constitutional, legal and administrative framework established for the implementation of the Convention. It should clearly demonstrate the extent to which the national laws/education policy corresponds to the provisions in the Recommendation.

9. The Report should cover educational laws and legislative texts adopted by Member States to prohibit discrimination in education as rooted in the historical, cultural, economic and political conditions specific to them and to promote equal educational opportunities.<sup>3</sup>

10. Information supplied by Member States should demonstrate as to how laws and practices comply with the Convention rights, describing legal norms as well as the factual situation. The Reports should include information indicating how those legal instruments are reflected in the actual economic, political and social realities and general conditions existing in the country.

11. Pursuant to discussions leading to 165 EX/Decision 6.2, mentioned above, the Report is expected to indicate as to how the measures taken towards the implementation of the Convention/Recommendation contribute to EFA as UNESCO's priority. As regards the

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<sup>3</sup> “Recognition of the principles of equality and non-discrimination, which is a central premise of the human rights approach, helps to highlight the fact that a great deal of poverty originates from discriminatory practices – both overt and covert – at the international, national and local levels. This recognition calls for the reorientation of poverty reduction strategies from a tendency to focus on narrow economic issues towards a broader strategy that also addresses sociocultural and political-legal institutions that sustain the structures of discrimination”. Draft Guidelines: A Human Rights Approach to Poverty Reduction Strategies, elaborated by the Office of the High Commissioner for Human Rights (September 2002).

implementation of the Convention, UNESCO's Medium-Term Strategy (2002-2007) provides that "education becomes truly inclusive, in particular by effectively reaching the unreached – especially the poor, women and girls, rural populations, minorities, refugees and countries or populations victims of disasters and people with special needs".<sup>4</sup> Accordingly, the Report should provide a description of policy measures and educational programmes implemented to that end, as well as difficulties encountered. It should demonstrate how vulnerable and disadvantaged groups are being enabled to have access to basic education. For instance, to what extent young girls, children of low income groups, of immigrants and of migrant workers, children belonging to linguistic, racial, religious or other minorities, and children of indigenous people are enabled to enjoy the right to education as part of the EFA process. It will be appreciated if information is supplied in the form of a table on all these categories, as suggested in Appendix 2.

12. In order to eliminate discrimination and reduce disparities in education, the Report should show what affirmative action and positive measures are being taken by the government for enabling, *inter alia*, children who are victims of social exclusion and poverty to have access to education. Please describe the effect of such measures.

13. It will be appreciated if information concerning the adoption and implementation of legislation, policy measures and education programmes which correspond to the rights enshrined in the Convention and the Recommendation is supplied in the form of a table, as suggested in Appendix 2, Table I.

14. Furthermore, Member States should make efforts, as far as possible, to provide all data concerning educational opportunities, disaggregated on the grounds of discrimination prohibited by the Convention and the Recommendation. Please provide, as much as possible and as appropriate, figures and statistics concerning the current situation of educational opportunities in your country – primary education, secondary education in different forms, higher education, and adult and/or continuing education. The indicators found in the Statistical Annex of Global EFA Monitoring Report 2005 may serve as a reference in providing this information for different levels of education. It will be appreciated if data is supplied in the form of a table, as suggested in Appendix 2, Table II.

15. The Convention and the Recommendation prohibit discrimination in education "based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth". Please provide, as much as possible and as appropriate, figures and statistics concerning the current situation of educational opportunities in your country – primary education, secondary education in different forms, higher education, and adult and/or continuing education –, disaggregated by the grounds of discrimination prohibited by the Convention and the Recommendation. The indicators found in the Statistical Annex of Global EFA Monitoring Report 2005 may serve as a reference in providing this information for different levels of education.

16. If your country is a State Party to the International Covenant on Economic, Social and Cultural Rights, you may attach information already provided to CESCR (covering the reporting period 2000-2005) with respect to the implementation of the right to education (Articles 13 and 14 of the International Covenant) or refer to the relevant parts of those reports, rather than repeat the information here. Similarly, you may refer to the relevant information (covering the reporting period 2000-2005) already provided to the treaty monitoring bodies, namely to the Committee on the Elimination of Racial Discrimination, to the Committee on the Elimination of Discrimination against Women, or to the Committee on the Rights of the Child, rather than repeat the information here.

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<sup>4</sup> UNESCO's Medium-Term Strategy 2002-2007 (31 C/4, para. 62), UNESCO, Paris.

17. In case the information supplied in the national EFA action plan is relevant, you may like to reproduce or refer to it with precise indications as to its retrieval. Similarly, you may like to reproduce or refer to the relevant information and data in case these have already been supplied to the UNESCO Institute for Statistics.

#### **IV. Main elements for reporting on provisions in different articles**

##### **Article 1**

18. Member States are requested to furnish detailed information explaining how discrimination in education based on grounds specified in the Convention/Recommendation is outlawed, bearing in mind in particular requirements specified in paragraphs (a), (b), (c) and (d) of this Article, and how equality of treatment in education is ensured. The importance of the provisions of this Article and of the Convention in general should be appreciated in light of the recent resolutions adopted by the Commission on Human Rights (resolution 2002/23, resolution 2003/19 as well as resolution 2004/25) on the right to education which mention all the grounds of discrimination prohibited by the Convention and urge all States “to give full effect to the right to education and to guarantee that this right is recognized and exercised without discrimination of any kind”.

##### **Article 2**

19. Please describe measures taken: (a) for ensuring gender parity in education; (b) relating to the parental choice and establishment or maintenance, for religious or linguistic purposes, of separate education systems or establishments; and (c) regulatory framework for private educational institutions in order to ensure equality of educational opportunities and treatment. It will be appreciated if information is supplied in the form of a table on all these categories (a), (b) and (c).

##### **Article 3**

20. Please explain the legal and administrative measures adopted to give effect to the provisions of this Article, including non-discrimination in the admission of pupils to educational institutions, and non-differential treatment, assistance granted by public educational authorities to educational institutions, and treatment of foreign nationals resident in your country.

21. What action is your government taking or contemplating in order to introduce or guarantee equal access to all levels of education within your country, for instance in the form of anti-discriminatory measures, financial incentives, fellowships, positive or affirmative action? Please describe the effects of such measures. It will be appreciated if information is supplied in the form of a table on all these categories, as suggested in Appendix 2.

##### **Article 4**

22. Please indicate how education laws and policy have been developed and strategies and programmes are being implemented with a view to achieving in your country the full realization of the right of everyone to education without discrimination or exclusion, and ensuring equality of educational opportunities, and to achieving education for all. What are the actions planned in your country to give especial consideration to gender equity and equality in education and the educational needs of the poor, economically and socially marginalized and vulnerable groups? What difficulties have you encountered in the realization of the right to education, as spelled out in paragraph 1? What time-related goals and benchmarks has your government set in this respect?

23. Please furnish detailed information on the progress with respect to ensuring universal access to primary education: Is primary education in your country available free of charge to all? If so, what laws and policies ensure the universal free availability of primary education? If not, how does your government intend to ensure free primary education? What strategies and programmes are implemented and planned to ensure that “by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality”?<sup>5</sup> What difficulties has your government encountered in the realization of universal access to free primary education? If compulsory and free primary education in your country is not currently enjoyed, please provide details for its implementation, in line with the education for all objective.

24. What efforts has your government made to establish a system of continuing education on the basis of individual capacity, especially basic education for those persons who have not received or completed the whole period of their primary education? What are the measures and actions being implemented and planned to ensure equitable access to basic and continuing education so that the basic learning needs of all young people and adults are met through elimination of illiteracy, and equitable access to appropriate learning and life-skills programmes? What time-related goals and benchmarks has your government set in this respect?

25. Is secondary education, including technical and vocational secondary education, generally available and accessible to all in your country? To what extent is such secondary education free of charge? Please furnish quantitative and descriptive information on the progress realized and the difficulties encountered. What time-related goals and benchmarks has your government set in this respect?

26. What are the measures and actions being implemented and planned to eliminate “gender disparities in primary and secondary education, and achieving gender equality in education, with a focus on ensuring girls’ full and equal access to and achievement in basic education of good quality”?

27. To what extent is access to higher education based upon individual capacity realized in your country? What efforts has your government made to ensure that there is no discrimination on the ground prohibited by the Convention to enter and complete higher education, both in public and private institutions? What are the financial costs for students to receive education in such institutions? Please furnish quantitative and descriptive information on the progress realized.

28. Has there been/are there instances of discrimination as regards the training for the teaching profession in your country? Please describe the conditions of teaching staff at all levels in your country. How do teachers’ salaries compare to salaries of (other) civil servants? How has this ratio developed over time? What measures does your country take or contemplate to improve the living and professional conditions of teaching staff?

## **Article 5**

29. Please report on national efforts for directing education towards the objectives mentioned in Article 5, paragraph 1(a) of the Convention/Recommendation.

30. Please describe education policy framework for minimum educational standards as regards the rights of the parents/legal guardian for providing religious and moral education for their children

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<sup>5</sup> Dakar Framework for Action, adopted by the World Education Forum, Dakar 2000.

and the choice of educational institutions in accordance with the provisions of Article 5, paragraph 1(b) of the Convention/Recommendation.

31. How are the rights of national minorities protected for carrying out their own educational activities in accordance with Article 5, paragraph 1(c) of the Convention/Recommendation? Please describe legal and policy framework relating to the educational standards in educational institutions run by minorities, as provided for in this Article. Information should cover the language facilities, such as the availability of teaching in the mother tongue of the students, use of teaching of languages in education policy, etc.

#### **Article 7**

32. Please highlight: (i) the results achieved; and (ii) obstacles in the process of the implementation of the Convention/Recommendation. The Report should present an assessment of the positive results as well as shortcomings. It should highlight difficulties that have been encountered in eliminating discrimination and reducing disparities in education, especially in the context of the EFA process.

33. What are the main issues that need to be addressed for promoting equality of educational opportunities in your country? Please provide a brief description.

#### **V. Awareness-raising**

34. In 170 EX/Decision 6.3 taken at the 170th session, the Executive Board has expressed its concern as regards the low level of ratification of the Convention and underlined the need for awareness-raising and a ratification campaign. Given the importance of normative action at the national level, the Convention must be given wide dissemination, with the support of National Commissions.

35. Please describe the steps taken towards creating greater awareness of the fundamental principles of non-discrimination and of equality of educational opportunities enshrined in the Convention and in the Recommendation, including their translation into national and possibly local languages and their dissemination at national/local level. Please specify activities developed/supported by the National Commission for promoting non-discrimination and equality of educational opportunities and for raising debate on critical issues, recognizing these principles as important aspects of the right to education.



## APPENDIX 1

### States Parties to the Convention against Discrimination in Education (as of 31 December 2004)

#### Convention against Discrimination in Education, Paris 14 December 1960<sup>1</sup>

	<b>States</b>	<b>Date of deposit of instrument</b>	<b>Type of instrument</b>
1	France	11/09/1961	Ratification
2	Israel	22/09/1961	Ratification
3	Central African Republic	22/02/1962	Acceptance
4	United Kingdom of Great Britain and Northern Ireland	14/03/1962	Acceptance
5	Egypt	28/03/1962	Acceptance
6	Liberia	17/05/1962	Ratification
7	Russian Federation	01/08/1962	Ratification
8	Cuba	02/11/1962	Ratification
9	Bulgaria	04/12/1962	Acceptance
10	Belarus	12/12/1962	Ratification
11	Ukraine	19/12/1962	Ratification
12	Norway	08/01/1963	Ratification
13	Kuwait	15/01/1963	Acceptance
14	New Zealand	12/02/1963	Ratification
15	Benin	09/07/1963	Acceptance
16	Costa Rica	10/09/1963	Ratification
17	Denmark	04/10/1963	Ratification
18	Argentina	30/10/1963	Ratification
19	Albania	21/11/1963	Ratification
20	Hungary	16/01/1964	Ratification
21	Romania	09/07/1964	Ratification
22	Poland	15/09/1964	Ratification
23	Lebanon	27/10/1964	Ratification
24	Mongolia	04/11/1964	Ratification
25	Philippines	19/11/1964	Acceptance
26	Guinea	11/12/1964	Acceptance
27	Madagascar	21/12/1964	Ratification
28	China <sup>2</sup>	12/02/1965	Ratification
29	Malta	05/01/1966	Notification of succession
30	Netherlands	25/03/1966	Ratification
31	Italy	06/10/1966	Ratification
32	Australia	29/11/1966	Acceptance
33	Peru	19/12/1966	Ratification
34	Indonesia	10/01/1967	Acceptance
35	Sierra Leone	02/06/1967	Ratification
36	Panama	10/08/1967	Acceptance
37	Senegal	25/09/1967	Ratification
38	Sweden	21/03/1968	Ratification
39	Brazil	19/04/1968	Ratification
40	Viet Nam <sup>3</sup>	12/06/1968	Ratification
41	Niger	16/07/1968	Acceptance
42	Iran (Islamic Republic of)	17/07/1968	Acceptance
43	Germany	17/07/1968	Ratification
44	Morocco	30/08/1968	Acceptance
45	Uganda	09/09/1968	Acceptance
46	Congo	16/09/1968	Ratification
47	Venezuela	16/12/1968	Ratification
48	Algeria	24/12/1968	Acceptance
49	Spain	20/08/1969	Acceptance
50	Tunisia	29/08/1969	Ratification

	<b>States</b>	<b>Date of deposit of instrument</b>	<b>Type of instrument</b>
51	Nigeria	18/11/1969	Acceptance
52	Luxembourg	20/01/1970	Ratification
53	Cyprus	09/06/1970	Acceptance
54	Mauritius	20/08/1970	Notification of succession
55	Swaziland	08/10/1970	Acceptance
56	Finland	18/10/1971	Ratification
57	Chile	26/10/1971	Ratification
58	Libyan Arab Jamahiriya	09/01/1973	Ratification
59	Saudi Arabia	17/08/1973	Ratification
60	Barbados	24/06/1975	Notification of succession
61	Jordan	06/04/1976	Acceptance
62	Iraq	28/06/1977	Ratification
63	Dominican Republic	30/08/1977	Ratification
64	United Republic of Tanzania	03/01/1979	Ratification
65	Ecuador	05/03/1979	Acceptance
66	Portugal	08/01/1981	Ratification
67	Nicaragua	28/09/1981	Ratification
68	Solomon Islands	19/03/1982	Notification of succession
69	Belize	01/12/1982	Notification of succession
70	Guatemala	04/02/1983	Ratification
71	Dominica	14/03/1983	Notification of succession
72	Sri Lanka	11/08/1983	Acceptance
73	Saint Vincent and the Grenadines	22/01/1985	Notification of succession
74	Brunei Darusalaam	25/01/1985	Notification of succession
75	Croatia	06/07/1992	Notification of succession
76	Tajikistan	28/08/1992	Notification of succession
77	Georgia	04/11/1992	Notification of succession
78	Slovenia	05/11/1992	Notification of succession
79	Republic of Moldova	17/03/1993	Notification of succession
80	Czech Republic	26/03/1993	Notification of succession
81	Slovakia	31/03/1993	Notification of succession
82	Bosnia and Herzegovina	12/07/1993	Notification of succession
83	Armenia	05/09/1993	Notification of succession
84	Kyrgyzstan	03/07/1995	Acceptance
85	The former Yugoslav Republic of Macedonia	30/04/1997	Notification of succession
86	Uzbekistan	08/12/1997	Ratification
87	Côte d'Ivoire	24/11/1999	Ratification
88	South Africa	09/03/2000	Ratification
89	Rwanda	28/12/2000	Acceptance
90	Serbia and Montenegro	11/09/2001	Notification of succession
91	Uruguay	03/05/2004	Acceptance

<sup>1</sup> This Convention entered into force on 22 May 1962. It subsequently entered into force for each State three months after the date of deposit of that State's instrument, except in cases of declaration of succession, where the entry into force occurred on the date on which the State assumed responsibility for conducting its international relations.

<sup>2</sup> Instrument of ratification deposited by the authorities representing China at UNESCO at the time of the deposit. The Director-General received from the Permanent Delegation of the People's Republic of China to UNESCO the following communication dated 2 September 1974: "All signatures affixed to the Convention concerning the International Exchange of Publications by the Chiang Kai-shek Clique usurping the name of China are illegal and without force. The Chinese Government does not recognize them and shall in no way be bound by them". By a communication dated 17 May 1988, the Permanent Delegation of the People's Republic of China to UNESCO informed the Director-General that the preceding declaration also applied to the Convention concerning the Exchange of Official Publications and Government Documents between States and to the Convention against Discrimination in Education.

<sup>3</sup> The Democratic Republic of Viet Nam and the Republic of South Viet Nam (the latter having replaced the Republic of Viet Nam) united on 2 July 1976 to form a new State, the Socialist Republic of Viet Nam (Viet Nam). At the time of writing, the Government of Viet Nam had not yet made known its position regarding any succession.

**APPENDIX 2**

**TABLE I: MEASURES TAKEN FOR IMPLEMENTATION OF THE CONVENTION  
AND RECOMMENDATION AGAINST DISCRIMINATION IN EDUCATION**

	NON-DISCRIMINATION						Equality of educational opportunity	Protection of national minority rights	Positive measures for the elimination of discrimination	Making primary education available free of charge	Parental choice of education systems or institutions	Regulatory framework for private educational institutions
	Race or colour	Sex	Language and religion	Political or other opinion	National or social origin	Economic condition or birth						
Pertinent legislation												
Pertinent policies												
Relevant programmes and projects												



ANNEX II

UNITED  
NATIONS

HRI



**International  
Human Rights  
Instruments**

Distr.  
GENERAL  
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**COMPILATION OF GUIDELINES ON THE FORM AND CONTENT OF REPORTS  
TO BE SUBMITTED BY STATES PARTIES  
TO THE INTERNATIONAL HUMAN RIGHTS TREATIES**

(Extracts)

Chapter II

**COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS\***

**Article 13 of the Covenant**

56. With a view to achieving in your country the full realization of the right of everyone to education:

(a) How does your Government discharge its obligation to provide for primary education that is compulsory and available free to all? (If primary education is not compulsory and/or free of charge, see especially article 14.)

(b) Is secondary education, including technical and vocational secondary education, generally available and accessible to all? To what extent is such secondary education free of charge?

(c) To what extent is general access to higher education realized in your country? What are the costs of such higher education? Is free education established or being introduced progressively?

(d) What efforts have you made to establish a system of fundamental education for those persons who have not received or completed the whole period of their primary education?

In case your Government has recently submitted reports relevant to the situation with respect to the right contained in article 13 to the United Nations or a specialized agency, you may wish to refer to the relevant parts of those reports rather than repeat the information here.

57. What difficulties have you encountered in the realization of the right to education, as spelt out in paragraph 1? What time-related goals and benchmarks has your Government set in this respect?

58. Please provide statistics on literacy, enrolment in fundamental education with information on rural areas, adult and continuing education, drop-out rates at all levels of education as well as

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\* Contained in document E/C.12/1991/1 entitled Revised general guidelines regarding the form and contents of reports to be submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights. The guidelines were adopted by the Committee on Economic, Social and Cultural Rights at its fifth session in 1990.

graduating rates at all levels (please disaggregate, if possible, according to sex, religion, etc.). Also provide information on measures taken to promote literacy, with data on the scope of the programmes, target population, financing and enrolment, as well as graduation statistics by age group, sex, etc. Please report on the positive results of these measures as well as on difficulties and failures.

59. Please provide information on the percentage of your budget (or, if necessary, regional budgets) spent on education. Describe your system of schools, your activity in building new schools, the vicinity of schools, particularly in rural areas, as well as the schooling schedules.

60. To what extent is equal access to the different levels of education and measures to promote literacy enjoyed in practice? For instance:

(a) What is the ratio of men and women making use of the different levels of education and taking part in these measures?

(b) With regard to practical enjoyment of the right to these levels of education and measures to promote literacy, are there any particularly vulnerable and disadvantaged groups? Indicate, for instance, to what extent young girls, children of low-income groups, children in rural areas, children who are physically or mentally disabled, children of immigrants and of migrant workers, children belonging to linguistic, racial, religious or other minorities, and children of indigenous people, enjoy the right to literacy and education spelt out in article 12.

(c) What action is your Government taking or contemplating in order to introduce or guarantee equal access to all levels of education within your country, for instance in the form of anti-discriminatory measures, financial incentives, fellowships, positive or affirmative action? Please describe the effect of such measures.

(d) Please describe the language facilities provided to this effect, such as the availability of teaching in the mother tongue of the students.

61. Please describe the conditions of teaching staff at all levels in your country, having regard to the Recommendation concerning the Status of Teachers, adopted on 5 October 1966 by the Special Intergovernmental Conference on the Status of Teachers, convened by UNESCO. How do teachers' salaries compare to salaries of (other) civil servants? How has this ratio developed over time? What measures does your country take or contemplate to improve the living conditions of teaching staff?

62. What proportion of schools at all levels in your country is not established and administered by the Government? Have any difficulties been encountered by those wishing to establish or to gain access to those schools?

63. During the reporting period, have there been any changes in national policies, laws and practices negatively affecting the right enshrined in article 13? If so, please describe these changes and evaluate their impact.

64. Please indicate the role of international assistance in the full realization of the right enshrined in article 13.

#### **Article 14 of the Covenant**

65. If compulsory and free primary education in your country is not currently enjoyed, please provide details on the required plan of action for the progressive implementation, within a reasonable number of years fixed in this plan, of this principle. What particular difficulties have you encountered in the realization of this plan of action? Please indicate the role of international assistance in this respect.

Chapter V

**COMMITTEE ON THE ELIMINATION OF DISCRIMINATION  
AGAINST WOMEN\***

A. Initial reports

1. Under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, each State party undertakes to submit a report on the legislative, judicial, administrative or other measures that it has adopted to give effect to the provisions of the Convention and on the progress made in that respect within one year after the entry into force of the Convention for the reporting State, and thereafter at least every four years and further whenever the Committee on the Elimination of Discrimination against Women established under the Convention so requests.

2. In order to assist the States parties in fulfilling their obligations under article 18, the Committee recommends that the States parties follow general guidelines as to the form, content and date of reports. The guidelines are to help ensure that the reports are presented in a uniform manner so that the Committee and the States parties can obtain a complete picture of the implementation of the Convention and the progress made therein.

3. The report should be in two parts. Part I should be prepared in accordance with the consolidated guidelines for the initial part of the reports of States parties to be submitted under the various international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, as contained in the annex to document HRI/CORE/1.

4. Part II should provide specific information in relation to each provision of the Convention, in particular:

- (a) The constitutional, legislative and administrative provisions or other measures in force;
- (b) The developments that have taken place and the programmes and institutions that have been established since the entry into force of the Convention;
- (c) Any other information on progress made in the fulfilment of each right;
- (d) The *de facto* position as distinct from the *de jure* position;
- (e) Any restrictions or limitations, even of a temporary nature, imposed by law, practice or tradition, or in any other manner on the enjoyment of each right;
- (f) The situation of non-governmental organizations and other women's associations and their participation in the elaboration and implementation of plans and programmes of the public authorities.

5. It is recommended that the reports not be confined to mere lists of legal instruments adopted in the country concerned in recent years, but should also include information indicating how those legal instruments are reflected in the actual economic, political and social realities and general conditions existing in the country. As far as possible, States parties should make efforts to provide all data disaggregated by sex in all areas covered by the Convention and the general recommendations of the Committee.

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\* Contained in document CEDAW/C/7/Rev.3, entitled Guidelines for preparation of reports by States parties.

6. States parties are invited to submit copies of the principal legislative, judicial, administrative and other texts referred to in the report so that they can be made available to the Committee. It should be noted, however, that for reasons of expense those texts will not normally be reproduced for general distribution with the report except when the reporting State specifically so requests. It is desirable, when a text is not actually quoted in or annexed to the report, that the report should contain sufficient information to be understood without reference to that text.

7. The reports should reveal obstacles to the participation of women on an equal basis with men in the political, social, economic and cultural life of their countries, and give information on types and frequency of cases of non-compliance with the principle of equal rights.

#### B. Periodic reports

11. In preparing second and subsequent periodic reports, States parties should follow the general guidelines and include matters that were not covered in the initial report.

12. As a general rule States parties in their second and subsequent periodic reports should focus on the period between the consideration of their latest report up to the date of preparation of their last one.

13. In their periodic reports States parties should have regard to the previous report and to the proceedings of the Committee in regard to that report, and should include, inter alia, the following:

- (a) Legal and other measures adopted since the previous report to implement the Convention;
- (b) Actual progress made to promote and ensure the elimination of discrimination against women;
- (c) Any significant changes in the status and equality of women since the previous report;
- (d) Any remaining obstacle to the participation of women on an equal basis with men in the political, social, economic and cultural life of their country;
- (e) Matters raised by the Committee which could not be dealt with at the time when the previous report was considered.