



United Nations  
Educational, Scientific and  
Cultural Organization

# Executive Board

Hundred and ninety-sixth session

# 196 EX/20

PARIS, 13 March 2015  
Original: English/French

Item 20 of the provisional agenda

## REPORT OF THE WORKING GROUP ON THE METHODS OF WORK OF THE COMMITTEE ON CONVENTIONS AND RECOMMENDATIONS (CR)

### SUMMARY

The working group established pursuant to 192 EX/Decision 19 will continue examination of the working methods of the Committee on Conventions and Recommendations (CR) in conformity with 195 EX/Decision 16.

1. In 192 EX/Decision 19 on the review of the working methods of the Committee on Conventions and Recommendations (CR), the Executive Board decided to establish a working group that is required to:

- agree, through consultations, on clearer rules and procedures in order to improve the work and effectiveness of the CR Committee in regard to the two aspects of the Committee's terms of reference;
- operate in a spirit of consensus;
- comprise all members of the CR Committee and other Member States of UNESCO wishing to attend as observers;
- report on the outcome of its work to the CR Committee at the 196th session of the Executive Board at the latest.

2. At the 194th session of the Executive Board, the members of the CR Committee recommended some topics for discussion.<sup>1</sup> At the end of the discussions, the Chair summed up the exchange of views, stressing that members of the Committee had voiced concern about:

- the need to balance the two aspects of the CR Committee's terms of reference and the means of achieving that aim;
- the imbalance in the geographical origin of communications and the means of redressing the balance;

<sup>1</sup> See Report of the CR Committee, document 194 EX/33, paragraphs 5-7.

- the complementarity or duplication of the procedure with similar United Nations bodies responsible for protecting human rights;
- the efficiency of the CR Committee's working methods taken up in several proposals and ideas formulated during the discussion;
- the management of speaking time allotted to the various speakers;
- the sources of information about cases examined;
- the admissibility criteria.

3. The Chair of the CR Committee said that the list was not exhaustive.

4. Pursuant to 194 EX/Decision 20, the working group began its work on the eve of the meeting of the CR Committee at the 195th session of the Executive Board. On that occasion, the Chair of the CR Committee was elected Chair of the working group.

5. During the meeting, the members of the working group all agreed that the discussions should focus, as reflected in document 194 EX/33, on four main themes: (i) rebalancing the two complementary aspects of the Committee's terms of reference; (ii) the logic of the system of communications; (iii) techniques and working methods; and (iv) the conditions for submitting communications.

6. The Chair of the working group underscored that consensus was possible within the working group on issues that needed to be examined in more detail and proposed to the members of the working group that they focus their efforts on those important issues where there was a strong likelihood of achieving consensus. The issues concerned highlighted the importance of the two complementary aspects of the Committee's terms of reference and the need to rebalance those aspects by improving both of them. The issues identified were:

- with regard to the first aspect – the examination of reports from Member States on the implementation of UNESCO's standard-setting instruments – a consensus emerged among the members of the working group on the need to rebalance the first aspect concerning the monitoring of standard-setting instruments. However, in order to further develop its discussion, the working group requested the Secretariat to make written proposals to suggest ways of improving the work of the first aspect of the Committee's terms of reference, while taking into account the need to revitalize, energize and update the process of the ratification of the standard-setting instruments and also of the reports of Member States on the implementation of such instruments.
- the second aspect – the examination of communications concerning the exercise of human rights in UNESCO's fields of competence – required further discussion by the members of the working group. However, consensus did seem possible on some matters, such as:
  - seeking ways to achieve universal communications, namely a geographical distribution of such communications by increasing the visibility of the 104 procedure among the general public and non-governmental organizations;
  - ensuring that the communications fell within the fields of competence of the Organization; and
  - improving specific working conditions, including the management of speaking time allotted to the various speakers, possibly consolidating several communications for examination, conducting an annual examination of certain cases or even receiving a prior written reply from the States concerned and potentially other matters, yet to be defined.

7. The Chair of the working group noted that for other issues, differences of opinion between the members of the working group were considerable and a consensus on them seemed difficult, though not impossible. They included the following issues: (i) the division of the two aspects of the Committee's terms of reference into two separate sessions and (ii) the participation of a State Member in the adoption of decisions relating to communications concerning it.

8. Therefore, the Chair of the working group stressed that given the current state of play, the working group had not been able to complete its terms of reference or submit its final report to the CR Committee and to the Executive Board at its 195th session. It would therefore continue its work at the 196th session of the Executive Board in spring 2015.

9. In accordance with 195 EX/Decision 16, the working group would therefore meet again on the eve of the meeting of the CR Committee at the 196th session of the Executive Board, that is, on Tuesday 7 April 2015, as announced in the provisional timetable of work of the 196th session of the Executive Board and in 195 EX/Decision 26.

10. At the request of the working group, the Secretariat therefore submits the following proposals to improve the work of the Committee in the first aspect of its terms of reference. The proposals are, on the one hand, to update the legal framework (reproduced in paragraphs 10 and 11 of document 194 EX/CR/2 and in the 2014 edition of the booklet entitled "Committee on Conventions and Recommendations") relating to procedures for the examination of Member States' reports on the implementation of UNESCO's standard-setting instruments adopted by the Executive Board at its 177th session (A) and, on the other, to organize the work of the CR Committee during consideration of the items on the application of standard-setting instruments (B).

A. *Update of the legal framework relating to procedures for the examination of Member States' reports on the implementation of UNESCO's standard-setting instruments adopted by the Executive Board at its 177th session (177 EX/Decision 35 (I and II)).*

11. Adopted in October 2007, the legal framework could be open to several improvements to take into account the latest developments in terms of monitoring and the various comments made by members of the CR Committee at the different meetings during the preceding 2009-2013 timetable of work of the CR Committee.

*Specific multi-stage procedure for the monitoring of the implementation of UNESCO conventions and recommendations for which no specific institutional mechanism is provided (177 EX/Decision 35 (I)).*

(a) Collection of information for recommendations (stage 3(b) of the specific procedure).

Given the limited number of conventions for whose monitoring the CR Committee is responsible and in order to improve the relevance of reports concerning the recommendations, the Executive Board, namely the CR Committee, could be consulted before initiating the collection of information concerning recommendations. The second paragraph of stage 3(b) could therefore be amended as follows (the proposed amendment appears in bold below):

*"This collection of information may be conducted on the basis of the model guidelines **and after consultation with the Executive Board.**"*

(b) Technical assistance from the Secretariat to the Member States (stage 3(d) of the specific procedure).

Technical assistance from the Secretariat could also be increased by strengthening the participation of field offices in the process of the drafting of reports by Member States. Thus, focal points could be designated at Headquarters to interact regularly with the national authorities. The focal points would be responsible for preparing the guidelines

and initiating consultations. The role of the field offices would then be to mobilize the national authorities and provide the necessary assistance for the drafting of their reports and to interact regularly with the focal points in order to define practices to make the exercise most effective. The second paragraph of stage 3(d) could thus be amended as follows (the proposed amendment appears in bold below):

*“In order to reduce their workload, the Secretariat, **with the support of the field offices**, will provide Member States, at their request or at the request of the General Conference, with technical assistance, which will focus both on a better understanding of the objectives of the convention or recommendation in question and on practical procedures for the preparation of their reports, in particular, the collection of information and the drafting of the reports.”*

*Framework guidelines (177 EX/Decision 35 (II)).*

12. The information in paragraph II entitled *“Information on the implementation of the convention (with reference to its provisions)”* of the framework guidelines should also be updated to reflect changes since the adoption of the framework at the 177th session of the Executive Board.

13. Indeed, first, it should be recalled that since 2012, a specific institutional monitoring mechanism has been provided for the *1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* and that as a result, this standard-setting instrument is no longer being monitored by the Committee.

14. Moreover, regarding the *1960 Convention against Discrimination in Education* and the *1989 Convention on Technical and Vocational Education*, the Education Sector considers it necessary to update paragraph II of the framework guidelines, particularly with regard to the Organization’s new objectives in the field of the right to education and technical and vocational education. Following the proposals by the Education Sector, the new paragraph II could be amended as follows (the proposed amendment appears in bold below):

*“II. Information on the implementation of the Convention (with reference to its provisions)*

*This part of the report provides States with an opportunity to concentrate on more specific questions pertaining to the implementation of the instrument concerned. It should contain the information requested by the Committee on Conventions and Recommendations in its most recent guidelines for the preparation of reports, and should set out the specific measures taken to respond to any concerns expressed by the Committee in its observations made at the conclusion of the examination of the State Party’s previous report.*

*(a) Convention against Discrimination in Education*

*States should provide detailed information on:*

- (i) the means employed to proscribe discrimination in education **based notably on grounds specified** ~~for reasons set out~~ in the Convention, and to ensure equality of treatment in education;*
- (ii) the measures taken to ensure equal opportunities in education **(in terms of access, participation and completion)**, ~~and to attain education for all (EFA)~~ including gender parity ~~in education~~ and to implement strategies and programmes in order to achieve in the country the full exercise by all of the right to education without discrimination or exclusion;*
- (iii) progress made with respect to ensuring universal access to primary and secondary education, including technical and vocational education **and training, access to higher education based upon individual capacity, including***

**technical and vocational education and training, the measures taken to enhance the quality of education and the status of teaching personnel and the means employed to protect the right of national minorities to carry out their own educational activities.**

(b) *Convention on Technical and Vocational Education*

States should provide detailed information on:

- (i) **the measures taken to define ~~develop~~ evidence-based policies, strategies and frameworks implement programmes and curricula for technical and vocational education and training (TVET) to foster equitable lifelong learning opportunities for all young people and adults, in relation to changing contexts and development strategies, and respective education, labour and other systems, specifying how these measures ensure the involvement of all relevant stakeholders within the framework of the respective education systems;**
- (ii) **the measures taken to review periodically the structure of technical and vocational education, study programmes and plans, training methods and materials, as well as the forms of cooperation between the school system and the world of work, and the measures taken to give persons teaching in the field of technical and vocational education an opportunity to update their skills develop effective mechanisms for assessing current and future skills needs at various territorial levels and/or by sectors, and the main approaches used on a systematic and regular basis, specifying the extent of participation of employers' and employees' organisations;**
- (iii) **the measures taken to facilitate international cooperation and to participate actively in international exchanges concerning study and teacher training programmes, methods, equipment standards and textbooks in the field of technical and vocational education for the governance, regulation, management and financing of TVET, specifying how far governing structures at various levels are intersectoral, and how these measures ensure the involvement of all relevant stakeholders, including through social dialogue, partnerships and networks;**
- (iv) **the measures taken to transform and expand TVET in all its forms to address the great diversity of learning and training needs, and the measures taken to periodically review and improve the quality and relevance of TVET staff, programmes, qualifications and curricula, information, guidance and counselling;**
- (v) **the measures taken to facilitate international cooperation in the area of TVET through knowledge sharing and making full use of international and regional networks, and to support the mutual recognition of outcomes of learning experiences and qualifications;**
- (vi) **the measures, in the context of changing demands, taken to improve the knowledge and research base for TVET, including through monitoring and evaluation tools and mechanisms, to monitor the impact of TVET on expected outcomes including employability, lifelong learning, and social equity, including gender equality, and sustainable development.”**

~~(c) *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*~~

~~States should provide detailed information on the measures taken to:~~

- ~~(i) combat the illicit transfer of ownership, such as setting up one or more national services for the protection of the cultural heritage, and establishing and keeping up-to-date a national inventory of protected cultural property whose export would constitute an appreciable impoverishment of the national cultural heritage;~~
- ~~(ii) combat illicit excavations, such as supervising archaeological excavations, ensuring the preservation in situ of certain cultural property, and protecting certain areas reserved for future archaeological research;~~
- ~~(iii) control the export of cultural property, such as introducing an appropriate certificate by which the exporting State would specify that the export of the cultural property in question is authorized.~~

B. *Organization of the work of the CR Committee during consideration of the items on the application of standard-setting instruments.*

15. Improvements could be made in the organization of the working meetings of the CR Committee during consideration of the items on the application of standard-setting instruments, particularly by: (a) establishing a focused discussion during consideration of the general monitoring of the standard-setting instruments by the CR Committee; (b) examining specific reports; and (c) increasing the relevance of report summaries and synthesis reports prepared by the Secretariat.

- (a) *Establishing a focused discussion during consideration of the general monitoring of the standard-setting instruments by the CR Committee.*

Consideration of the document prepared by the Secretariat concerning the general monitoring of the implementation of standard-setting instruments could be complemented by further discussion between the members of the Committee and representatives of the sectors concerned, focusing on:

- either all instruments falling within the jurisdiction of a particular sector: at each session, the CR Committee would hold a discussion with the representatives of one programme sector. During each biennium, each of the four programme sectors would therefore have the possibility to respond in greater depth to questions from Committee members;
- or a particular standard-setting instrument or group of instruments with a common purpose (such as, for example, 1989 Convention and the 2001 Revised Recommendation concerning Technical and Vocational Education).

- (b) *Examining specific reports.*

At some sessions, the work of the CR Committee could provide the opportunity to consider specific issues such as: (i) reporting on a specific subject; (ii) consulting the Committee before initiating the collection of information concerning recommendations.

- (i) *Reporting on a specific subject.*

A specific consultation mechanism could be considered on a particular theme, such as the status of teachers.

- (ii) *Consulting the Committee before initiating the collection of information concerning recommendations.*

As proposed in paragraph 11 (a) of this document, the Committee could be consulted before initiating the collection of information for recommendations, along the lines of examining the guidelines for the conventions.

(c) *Increasing the relevance of report summaries and synthesis reports prepared by the Secretariat for consideration by the Committee*

In order to improve the quality of documents prepared by the Secretariat, consultations could be facilitated via Internet by creating a dedicated online platform. The digital tool would present the guidelines and Member States would be invited to respond directly online. Member States would thus be encouraged to report by using the guidelines, which would help to simplify and accelerate the process and generate more responses. The information would then be more readily usable by the Secretariat, with an improved cost-efficiency ratio, increasing the relevance of documents submitted to the Executive Board and subsequently to the General Conference. Moreover, such consultation via Internet would facilitate the posting online of national reports in order to enhance the visibility of the exercise.

16. Finally, the ratification process of the conventions monitored by the CR Committee is subject to various awareness-raising measures. Campaigns to encourage ratifications are regularly conducted by the Secretariat. In 2014, the Education Sector launched a new ratification campaign for the conventions that it monitors, including the 1960 Convention against Discrimination in Education (and its 1962 Protocol) and the 1989 Convention on Technical and Vocational Education. However, in accordance with 195 EX/Decision 15, the Secretariat will submit to the Executive Board, at its 197th session, a proposed strategy to improve ratification in the context of standard-setting instruments in the field of education.

17. Moreover, it should be noted that the document on the general monitoring of standard-setting instruments (Part I) drawn up at each session of the Executive Board contains a report on the status of ratification of these two Conventions (and the 1962 Protocol). The document also features a link to a full list, by electoral group, of States Parties and non-Parties to the Conventions, posted on the CR activities portal of the UNESCO website.

18. Lastly, a comprehensive report by the Director-General on UNESCO's standard-setting instruments is submitted to the General Conference at each of its sessions (37 C/INF.7). The document contains particulars of the standard-setting activities envisaged at UNESCO and a comprehensive report on all the Organization's standard-setting instruments, and more particularly on the status of ratification of conventions, including those monitored by the CR Committee.