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REPORT OF THE COMMITTEE ON CONVENTIONS AND RECOMMENDATIONS

1. The Committee on Conventions and Recommendations (CR) held a public working meeting on 29 February 2012. In accordance with Rule 16.2 of the Rules of Procedure of the Executive Board, the CR Committee elected as temporary Chair Mr Maurizio Enrico Serra, representative of Italy, who, in the absence of the CR Committee Chairman, Mr Imangali Tasmagambetov, representative of Kazakhstan, ensured the temporary Chairship during the Committee's proceedings. The Committee met on 7 March 2012 to adopt this report.

2. The Committee on Conventions and Recommendations examined the following three parts of item 13 of the agenda of the Executive Board:

Item 13 Implementation of standard-setting instruments

General monitoring (189 EX/13 Part I)

3. Introducing the item, the Chief of General Legal Affairs Section (LA), representing the Director-General, outlined document 189 EX/13 Part I, which reports on the ratification status of the three conventions, whose monitoring is the responsibility of the CR Committee, and on the measures taken by the Secretariat to implement the procedures adopted at the 177th session of the Executive Board, on the basis of information provided by the programme sectors concerned and the UNESCO Institute for Statistics.

4. On a proposal by the member from Belarus, the Committee considered that the document drafted by the Secretariat on the general monitoring of the implementation of the standard-setting instruments should not be limited to mere stocktaking, but should also contain an analysis of current trends, including difficulties, in the implementation and monitoring of the instruments in order to enhance their importance and universality.

5. Following the debate, the members of the Committee decided to recommend that the Executive Board adopt the following draft decision:

The Executive Board,

1. Recalling 15 C/Resolution 12.2, 23 C/Resolution 29.1, 165 EX/Decision 6.2, 32 C/Resolution 77, 170 EX/Decision 6.2, 171 EX/Decision 27, 174 EX/Decision 21, 175 EX/Decision 28, 176 EX/Decision 33, 177 EX/Decision 35 (I and II), 34 C/Resolution 87, 180 EX/Decision 31, 181 EX/Decision 27, 182 EX/Decision 31, 184 EX/Decision 20, 185 EX/Decision 23 (I), 186 EX/Decision 19 (I) and 187 EX/Decision 20 (I) relating to the first aspect of the terms of reference of the Committee on Conventions and Recommendations (CR), which concerns the implementation of UNESCO's standard-setting instruments,

2. Having examined document 189 EX/13 Part I and the report of the Committee on Conventions and Recommendations thereon (189 EX/27),
3. Urges Member States once again to fulfil their legal obligations under Article VIII of the Constitution of UNESCO regarding periodic reports on the action taken on conventions and recommendations;
4. Requests the Director-General to ensure the implementation of the new legal framework, including an analysis of current trends, by the programme sectors and the UNESCO Institute of Statistics (UIS), which have responsibility for the conventions and recommendations monitored by the CR Committee;
5. Decides to continue consideration of the matter at its 190th session.

Action Plan for the review of the 1976 Recommendation on the Development of Adult Education (189 EX/13 Part II)

6. The Director of the UNESCO Institute for Lifelong Learning (UIL), representative of the Education Sector, presented the document, highlighting the relevance of two interrelated processes: the International Conference on Adult Education (CONFINTEA) process with its six international conferences on adult education and respective follow-up since 1949; and the follow-up of the 1976 Recommendation, also known as the “Nairobi Recommendation”. At CONFINTEA V (Hamburg 1997) Member States recommended that the appropriate steps be taken to update the 1976 Recommendation on the Development of Adult Education, and at CONFINTEA VI (Belém 2009) they reiterated the need to “review and update” it. The Member States agreed at the 36th session of the General Conference to combine the two processes so that the Nairobi Recommendation will be monitored as part of the CONFINTEA VI Follow-up, and requested the Director-General to prepare an action plan for the review and updating of this Recommendation. He informed the Committee that the main item of the action plan as presented in the document is preparing a “preliminary study” on the review and update by a small expert group in order to explore the desirability of revising the Nairobi Recommendation. This includes identifying concrete areas where change is advisable and/or necessary or sections to be retained in their current form, in light of the implementation and monitoring of the Nairobi Recommendation being combined with the monitoring process of the Belém Framework for Action.

7. Three Members of the Committee intervened in the debate. Mexico welcomed the action plan and indicated her country’s interest in having its National Institute of Adult Education (INEA) represented in the expert group. Belarus recommended taking into account the results of the 3rd Congress on Technical and Vocational Education and Training (TVET) to be held in May this year. Spain requested acceleration of the process of modernizing the Nairobi Recommendation by submitting a concrete proposal to the 191st session of the Executive Board (spring 2013).

8. The Representative of the Education Sector welcomed the intervention from Mexico and expressed his appreciation for Mexico’s contribution to date to the CONFINTEA VI follow-up, especially the hosting of the first regional CONFINTEA VI follow-up conference for Latin America and the Caribbean in May 2011. Subsequently, in reply to the intervention from Belarus, he confirmed that the results of the Congress on TVET will be taken into account by the expert group. He also underlined the importance of integrating new insights on adult literacy from the field such as the mid-term evaluation of UNESCO’s Literacy Initiative for Empowerment (LIFE), published recently by UIL.

9. In response to Spain’s request for accelerating the process, the Legal Adviser clarified that preparation of a preliminary study is a necessary element of the procedure to revise a Recommendation and proposed maintaining the action plan and the foreseen timeframe.

10. At the end of the debate, the members of the Committee decided to recommend to the Executive Board the following draft decision:

The Executive Board,

1. Recalling that at its 19th session (Nairobi, 1976) the General Conference adopted the Recommendation on the Development of Adult Education,
2. Recalling that at its 27th session (Paris, 1993) the General Conference invited the Director-General to ensure the functioning of the permanent reporting system for its monitoring,
3. Recalling 36 C/Resolution 13, which invited the Director-General to consider the review and updating of the 1976 Recommendation in reflection of contemporary educational, cultural, political, social and economic challenges as set out in the Belém Framework for Action,
4. Having examined the plan of action for its review set out in document 189 EX/13 Part II, and the report of the Committee on Conventions and Recommendations thereon (189 EX/27),
5. Mindful of the lengthy process to review and modernize the 1976 Recommendation,
6. Requests the Director-General to continue the process of reviewing and updating as presented, and to submit a preliminary study of the technical and legal aspects relating to the desirability of revising the 1976 Recommendation to the 191st session of the Executive Board, aiming at the submission of that preliminary study to the 37th session of the General Conference.

Implementation of the 1974 Recommendation on the Status of Scientific Researchers
(189 EX/13 Part III)

11. Item 189 EX/13 Part III, dealing with monitoring of the implementation of the 1974 Recommendation on the Status of Scientific Researchers, was introduced by the Deputy Assistant Director-General for Social and Human Sciences, who emphasized the importance of the science ethics and science policy issues addressed by the Recommendation, which make it a matter of regret that the instrument is currently less widely recognized and acted upon than it might be. She also noted that only a small number of submissions had been received in response to the monitoring exercise. As a consequence, any decision with respect to future activities in connection with the Recommendation might be more cogently taken once additional submissions have been received. In very preliminary terms, the report by the Director-General suggested that consideration might be given to the possibility of updating or otherwise revising the 1974 Recommendation, once a complementary report on the subject has been taken into account by the Executive Board at its 190th session.

12. An observer (Japan) intervened to draw attention to the fact that his country was not mentioned in the list of submissions received given in paragraph 7 of document 189 EX/13 Part III.

13. The Committee adopted by consensus and without debate the decision proposed in paragraph 13 of document 189 EX/13 Part III, with a single minor modification proposed by a Member (Belarus) in paragraph 4 thereof to include reference to the 2005 Universal Declaration on Bioethics and Human Rights as one of the instruments in light of which the 1974 Recommendation might in due course be revised, supplemented or replaced.

14. At the end of the debate, the members of the Committee decided to recommend to the Executive Board the following draft decision:

The Executive Board,

1. Recalling 177 EX/Decision 35 (I) and 187 EX/Decision 20 (I),
2. Having examined document 189 EX/13 Part III and the report of the Committee on Conventions and Recommendations thereon contained in document 189 EX/27,
3. Urges Member States once again to fulfil their legal obligations under Article VIII of UNESCO's Constitution and Article 17 of the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution regarding the submission of reports on the implementation of recommendations adopted by the General Conference, including specifically the 1974 Recommendation on the Status of Scientific Researchers;
4. Taking note of the concern expressed by certain Member States that the 1974 Recommendation might be more effective if revised, supplemented or replaced by an updated framework taking account of contemporary ethical and regulatory challenges relating to the governance of science, possibly on the basis of the principles expressed in the 1999 Declaration on Science and the Use of Scientific Knowledge and in the 2005 Universal Declaration on Bioethics and Human Rights,
5. Invites the Director-General to submit to it at its 190th session an expanded and consolidated report on the application of the 1974 Recommendation, taking account of national contributions received later than 15 January 2012, so that it might be transmitted to the General Conference at its 37th session, together with the comments of the Executive Board;
6. Requests the Director-General to include in such report outline proposals for a consultation process to assess the desirability of review and updating of the 1974 Recommendation, based on consultation with Member States, intergovernmental and international non-governmental organizations, and relevant national and regional bodies, with the active involvement of COMEST.