



United Nations
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Cultural Organization

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189 EX/13
Part I

PARIS, 1 February 2012
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Item 13 of the provisional agenda

IMPLEMENTATION OF STANDARD-SETTING INSTRUMENTS

PART I

GENERAL MONITORING

SUMMARY

In accordance with paragraph 4 of 187 EX/Decision 19 (I), the present document contains an overall report on the three conventions and 11 recommendations of UNESCO that the Committee on Conventions and Recommendations (CR) is required to monitor, in particular on the status of ratification of the conventions and on the measures taken by the Secretariat in application of the procedures on the monitoring of the implementation of these instruments.

This item has no financial or administrative implications.

Action expected of the Executive Board: proposed decision in paragraph 42.

1. In 187 EX/Decision 19 (I), the Executive Board requested the Director-General to ensure the implementation of the legal framework adopted at its 177th session on the implementation of the three conventions and 11 recommendations on conventions for whose monitoring the CR Committee was responsible (177 EX/Decision 35, Parts I and II).

2. This document contains, following a brief report on the status of ratification of the three conventions and the 1962 Protocol, an assessment of the measures taken by the Secretariat in application of the new procedures for monitoring the implementation of these instruments.

Status of ratification of the 1960, 1970 and 1989 conventions

3. Since the 187th session of the Executive Board, the number of States Parties to the 1960, 1970 and 1989 conventions remains unchanged.

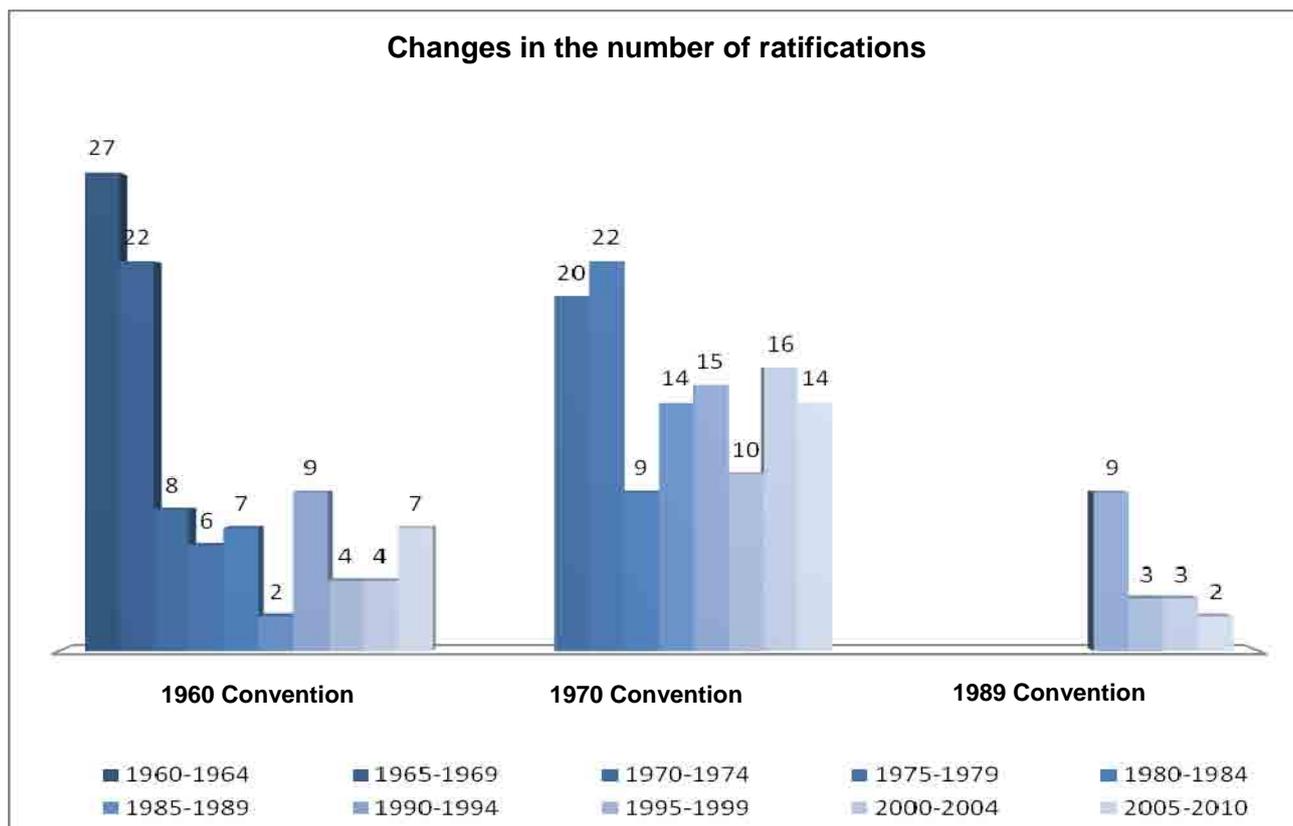
4. The 1960 Convention against Discrimination in Education has been ratified by 96 States, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property by 120 countries, and the 1989 Convention on Technical and Vocational Education by 17 States.

5. The table below shows the number of ratifications per electoral group of UNESCO for these three conventions, together with the percentage of ratifications of these instruments within each of the six electoral groups. A full list of States Parties and non-Parties per electoral group has been posted on the CR activities portal of the UNESCO website.¹

Conventions	Number of ratifications per electoral group (percentage of ratifications within each electoral group)					
	Group I	Group II	Group III	Group IV	Group V(a)	Group V(b)
1960 Convention ²	15 (55.55%)	22 (88%)	18 (54.54%)	11 (25%)	20 (42.55%)	10 (52.63%)
1970 Convention	19 (70.37%)	24 (96%)	23 (69.70%)	18 (40.90%)	22 (46.80%)	14 (73.68%)
1989 Convention	0 (0%)	3 (12%)	0 (0%)	3 (6.81%)	5 (10.63%)	6 (31.57%)

6. The Secretariat also prepared the table below showing changes in the number of ratifications of the three conventions since their adoption by UNESCO:

¹ http://portal.unesco.org/en/ev.php-URL_ID=46874&URL_DO=DO_TOPIC&URL_SECTION=201.html
² The 1962 Protocol instituting a Conciliation and Good Offices Commission to be Responsible for seeking the Settlement of any Disputes which may arise between States Parties to the Convention against Discrimination in Education has been ratified by 33 States, distributed among the electoral groups as follows: Group I: 12 (44.44%); Group II: 0 (0%); Group III: 7 (21.21%); Group IV: 4 (9.09%); Group V(a): 6 (12.76%); Group V(b): 4 (21.05%). Following nominations to the Commission at the 36th session of the General Conference, the Secretariat has initiated the procedure for the election of the new Chairperson and Vice-Chairperson of the Commission. To date, the Commission has never been called upon to use its good offices or exercise its conciliatory functions. For more information on the Commission: http://portal.unesco.org/en/ev.php-URL_ID=23762&URL_DO=DO_TOPIC&URL_SECTION=201.html



Specific measures adopted by the Secretariat to apply the new procedures on the monitoring of the implementation of UNESCO conventions and recommendations for whose monitoring the Board is responsible

- **1960 Convention against Discrimination in Education (ED)**

7. The ratification campaign on the 1960 Convention, launched in 2010 on the occasion of its 50th anniversary, has been conducted in order to encourage States that are not yet parties to it to take necessary measures for acceding to it. Several Member States expressed their wish to ratify the Convention. It is encouraging that some Member States have ratified the Convention during the 7th consultation of Member States on the application of the Convention and Recommendation. The 8th consultation has been launched pursuant to the adoption of guidelines for the preparation of reports at the 186th session of the Executive Board (186 EX/Decision 19 Part II). Technical assistance will be provided to Member States upon request for the preparation of the reports.

8. The French and the Spanish version of the publication “Implementing the Right to Education, A Compendium of practical examples based on the Seventh Consultation of Member States on the implementation of the Convention and the Recommendation against Discrimination in Education” are being prepared. This publication serves as an essential tool for information-sharing on concrete actions taken at national level within the framework of UNESCO’s normative action and the realization of the right to education in the context of EFA.

9. The first phase (technical development) of a database on the right to education and its legal framework has been completed. The second phase (integration of the content) is under development. This database will contain information by countries regarding ratification and reporting status of UNESCO conventions and other United Nations treaties related to the right to education as well as domestic legal framework (constitutional, legislative and administrative), policies and case law.

10. Monitoring has been strengthened within the framework of UNESCO's collaboration with the United Nations system. States are encouraged to ratify the 1960 Convention by the human rights treaty bodies (while examining country reports) and within the framework of the Universal Periodic Review.

- **1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (CLT)**

11. To the Secretariat's knowledge, Austria and Monaco, two important art markets, are preparing to ratify the Convention.

12. The Secretariat has also taken the following measures to monitor the implementation of the Convention:

- organization of a meeting of States Parties to the Convention (UNESCO Headquarters, 20-21 June 2012), tasked with: (i) examining in depth the impact of measures taken by States Parties to the Convention to optimize its implementation; (ii) appraising its effectiveness with particular regard to new trends in trafficking in cultural property; and (iii) formulating strategies geared in particular to its efficient implementation;
- capacity-building: training workshop entitled "Prevention and fight against illicit traffic of cultural goods in the southern African region" (Windhoek, Namibia, 14-15 September 2011); international expert meeting on "Awareness-raising, communication and outreach strategies: fighting the illicit traffic of cultural property in South-East Europe" (Skopje, the former Yugoslav Republic of Macedonia, 13 October 2011); training workshop on "Protecting the Cultural Heritage of Cyprus – Joining efforts in preventing illicit trafficking of cultural heritage" (Nicosia, Cyprus, 15 October 2011); international expert meeting on "Awareness-raising, communication and outreach strategies: fighting the illicit traffic of cultural property in South-East Europe" (Tirana, Albania, 23 November 2011); and presentation of the Convention during seminars held by the Italo Latin-American Institute (Rome, Italy, 1 December 2011) and by the European Police College (CEPOL) (Rome, Italy, 2-3 December 2011). With the financial support of Switzerland, UNESCO is launching a global initiative in order to build the capacities of Egyptian heritage professionals in order to combat trafficking more effectively and raise the local population's awareness of this threat. This 16-month project beginning in January 2012 is a joint initiative involving UNIDROIT, INTERPOL and the International Council of Museums (ICOM);
- international cooperation with: (i) INTERPOL: cooperation on a weekly basis, particularly with regard to the Stolen Works of Art Database; INTERPOL's participation in the above-mentioned training workshops as a partner of UNESCO and trainer; UNESCO's participation in the eighth International Symposium on the theft of and illicit traffic in works of art, cultural property and antiques (Lyon, France, 18-20 October 2011); (ii) United Nations Office on Drugs and Crime (UNODC): participation in the group of experts on the preparation of a project of operational directives to the 2000 Convention of Palermo against transnational organized crime; (iii) UNIDROIT: participation in the drafting of model provisions on State ownership of cultural property, organizing the first meeting of the Special Committee to review the practical operation of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (UNESCO Headquarters, 19 June 2012) and organization of the next meeting of States Parties to the 1970 Convention in June 2012; (iv) the Italian Carabinieri: Letter of Agreement of the Ministry of Foreign Affairs of Italy for the secondment of a member of the Carabinieri to the secretariat of the Convention (September 2011); preparation of a unique exhibition of stolen and recovered cultural property (UNESCO Headquarters, 19 June to 6 July 2012). The Secretariat is still seeking additional funds for the full organization of this exhibition;

- awareness-building: 10-minute video produced by the UNESCO Office in Venice to alert public opinion to the fight against trafficking in cultural property in the region of South-East Europe. Owing to support from the Austrian authorities, in December 2011, this video was translated into nine languages (Albanian, Bosnian, Bulgarian, Croatian, Macedonian, Montenegrin, Romanian, Serbian and Slovenian);
- publication and communication: article by the Director-General “From Baghdad to Cairo: combatting trafficking in cultural property” (published in *Mondes, Les Cahiers du Quai d’Orsay*, No.8, Autumn 2011, pp. 81-89); participation in the symposium entitled “Litigation in cultural property: judicial and alternative means of international dispute resolution” (Geneva, Switzerland, 10-11 November 2011) jointly organized by the University of Geneva Art-Law Centre and Art-Law Foundation in cooperation with the Arbitration and Mediation Centre of the World Intellectual Property Organization and UNESCO and with the support of the Swiss Federal Office of Culture;
- national reports for the monitoring of the implementation of the Convention: in accordance with the legal framework adopted at the 177th session of the Executive Board, a summary of country reports on the implementation of the Convention was submitted to the General Conference at its 36th session. The 47 reports received were summarized individually and posted successively on the website;
- Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation: preparations for the 18th session of the Committee (22 June 2012).

- **1989 Convention on Technical and Vocational Education (ED)**

13. By 187 EX/Decision 20 Part IV, the Executive Board requested the Director-General to include in the preparation for the 3rd International Congress on Technical and Vocational education and Training – TVET – (Shanghai, China, May 2012) a discussion on the content, relevance and scope of the 1989 Convention and 2001 Revised Recommendation concerning Technical and Vocational Education, in order to allow the Organization to review these standard-setting instruments.

14. Following the Executive Board’s decision, the Organization has included in the background report to the 3rd International Congress on TVET, a discussion on the new vision for TVET and its repositioning alongside the other sectors of education, such as basic or general education, higher education and adult education while emphasizing the diversity of settings (formal, non-formal and informal) and links with the labour market. The report also emphasizes UNESCO’s standard-setting role and the ways of strengthening UNESCO’s normative instruments in the field.

15. In addition, the Congress has provisions for sessions to discuss the key building blocks of the TVET system and relevance of international standardization in the field. In particular, the agenda includes a session on cross-regional cooperation and dialogue and another session that looks into the issue of transparency of TVET qualifications systems and cooperation in the field.

- **1960 Recommendation against Discrimination in Education (ED)**

16. (See paragraphs 7 to 10 above)

- **1966 Recommendation concerning the Status of Teachers and 1997 Recommendation concerning the Status of Higher-Education Teaching Personnel (ED)**

17. A study on Academic Freedom was finalized in accordance with Article 75 of the 1997 Recommendation which provides that “[t]he Director-General will prepare a comprehensive report

on the world situation with regard to academic freedom and to respect for the human rights of higher-education teaching personnel on the basis of the information supplied by Member States and of any other information supported by reliable evidence which he/she may have gathered by such methods as he/she may deem appropriate.”

18. Leading up to the World Teachers’ Day (5 October), an online consultation forum on “Teachers and Gender Equality” was organized from 12 to 23 September 2011 with around 350 participants. Some of the key points raised included: (i) increased feminization of the teaching profession and the shortage of male teachers; (ii) lack of female representation in school managerial positions; (iii) declining status of the teaching profession; (iv) eliminating gender stereotypes from learning materials and curricula; (v) addressing gender issues through teacher training; and (vi) role of the school in challenging gender stereotypes. The consultation brought together a wide variety of stakeholders working in the field of education. The outcomes and content of the forum discussion facilitated a varied and informed debate in the context of World Teacher Day.

19. The 2011 celebration of World Teachers’ Day at UNESCO Headquarters included presentations and discussions on the theme “Teachers for Gender Equality”, involving testimonials from educational professionals, National Commissions, ASPnet schools, and civil society. An exhibition of all UNESCO sectors and partners was also organized. Activities for celebrating teachers on the day were encouraged worldwide and through social media. The Joint World Teachers’ Day message with UNESCO, ILO, UNESCO, UNDP, and Education International was prepared and disseminated to Permanent Delegations, National Commissions for UNESCO, field offices and through the web. The UNESCO and Commonwealth Secretariat co-publication “Women and the Teaching Profession: Exploring the Feminisation Debate” was launched on World Teacher’s Day.

20. Preparations for the 11th Session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) have started. The CEART Working Group on Allegations examined new and previous allegations and prepared an interim report for consideration by UNESCO’s Executive Board and ILO’s Governing Body. Training was provided by the CEART member to teacher stakeholders (Ministry of Education managers and Unions leaders) on the use of the ILO/UNESCO recommendations and on social dialogue in Burundi and Lesotho.

21. Ongoing e-forum on teachers’ code of conduct organized by the International Institute for Educational Planning (IIEP) is also a major contribution towards implementing the normative instruments on teachers.

- **1974 Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (ED)**

22. A mapping report examining activities undertaken by Member States with support from UNESCO in the promotion of peace and human rights education with specific focus on citizenship education, intercultural dialogue, peace and security within the context of the Universal Declaration of Human Rights was carried out in collaboration with the University for Peace based in Ethiopia, in the following 10 African countries: Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Gabon, and Rwanda. The study also examined the role of UNESCO Associated Schools (ASPnet) in the promotion of peace and human rights education.

23. A second report on selected good practices in peace and human rights education was produced for the same group of countries. The report highlights various activities with UNESCO, the University for Peace and the Member States involved, selected as good examples of successful activities in peace and human rights education.

- **1974 Recommendation on the Status of Scientific Researchers (SHS)**

24. Pursuant to 187 EX/Decision 20 (I), the Secretariat submits to the Executive Board at its 189th session a consolidated report on the implementation of the 1974 Recommendation (see document 189 EX/13 Part III).

- **1976 Recommendation on the Development of Adult Education (ED)**

25. The consolidated report on monitoring the 1976 Recommendation was submitted to the 187th session of the Executive Board (187 EX/20 Part V), and to the 36th session of the General Conference (36 C/58). 36 C/Resolution 13 acknowledges the monitoring of the Belém Framework for Action and the triennial Global Monitoring Report on Adult Learning and Education (GRALE) as the key instruments for monitoring the Recommendation. Pursuant to 36 C/Resolution 13, a plan of action for the review and update of this Recommendation is submitted at the present session of the Board (189 EX/13 Part II).

26. A reporting template has been sent to all Member States in autumn 2011 to assess the overall progress in adult learning and education for the second issue of GRALE that is planned for the end of 2012 and will focus on adult literacy as a theme. This questionnaire will also serve for the UNLD end-assessment in 2012. Member States have been asked to fill this reporting template with all available data by the end of February 2012.

27. A UNESCO Institute for Lifelong Learning – International Conference on Adult Education (UIL CONFINTEA VI) fellowships programme has been implemented for the first time in November/December 2011. Fellowships have been offered to six senior specialists in adult education or adult literacy from Africa (Burkina Faso, Côte d'Ivoire, Ghana) and Asia (China, Mongolia, Viet Nam) to stay at UIL for two weeks. At the end of the programme, the six fellows prepared a draft proposal for a national policy and strategy framework to implement the Belém Framework in their respective countries.

28. A high-level literacy research seminar and a think-tank meeting on the future of lifelong learning (Hamburg, Germany, December 2011) have provided insights on: (a) the critical research needed on adult literacy, (b) policy advice on the post-2015 agenda, (c) the future conceptual understanding and policy implications of lifelong learning, bringing together researchers in literacy and lifelong learning, with a particular focus on the Arab States. Results from the discussions in both meetings will help generate the future research agenda of UIL, and will provide critical input into the global monitoring of the Belém Framework.

- **1978 Revised Recommendation concerning the International Standardization of Educational Statistics (UIS)**

29. The revised International Standard Classification of Education (ISCED 2011) was adopted by the 36th session of the General Conference (36 C/Resolution 11). The ISCED is a framework primarily used for the reporting of cross-nationally comparable data on education. It is rarely adopted by countries for the reporting of national statistics. Nevertheless countries will need to adapt their national statistical frameworks and possibly revise certain data collections (e.g. censuses or surveys) so that they are in a position to report data which conform to ISCED 2011. The UIS and its data collection partners, Eurostat and OECD, plan to launch the first surveys based on ISCED 2011 in 2014 thus allowing countries a period of two years in which to make the necessary preparations.

30. Between now and 2014 the UIS will provide training and other support to countries to assist them in this transition period. The UIS has started to draft an Operational Manual which will provide additional guidance and concrete examples to countries. The manual will be published in the second half of 2012. Eurostat and OECD are producing similar materials for the surveys that are completed by their respective member states.

31. Training will also be provided to national statisticians through regional workshops on education statistics. Two such UIS workshops took place in November 2011 for countries in Central Asia and Latin America and the Caribbean. Eurostat held a similar workshop for the European Union and partner countries in December 2011. Three further workshops are planned in 2012 (the Arab States, South and East Africa and Asia).

32. In addition, UIS field staff will provide in-country support to statisticians and national counterparts as part of their regular work with Member States.

33. In parallel with activities to support the implementation of ISCED 2011, work is beginning on the revision of the ISCED 1997 fields of education (which were not revised for ISCED 2011). A new Technical Advisory Panel will be established to guide the revision which is expected to be submitted to the 37th session of the General Conference for adoption. The revision process will follow the example of that for ISCED 2011 (including meetings of experts and a global consultation) and incorporating lessons learned from the latter experience.

- **1980 Recommendation concerning the Status of the Artist (CLT)**

34. In compliance with the legal framework adopted at the 177th session of the Executive Board, a consolidated report on the implementation by Member States of this Recommendation was examined by the Executive Board at its 187th session (187 EX/20 Part VII) and was submitted consequently to the General Conference at its 36th session (187 EX/Decision 20 Part VI). After having examined document 36 C/57 and its Annex, the General Conference invited the Director-General to transmit to it at its 38th session the next consolidated report on the implementation of this recommendation (36 C/Resolution 103).

- **1993 Recommendation on the Recognition of Studies and Qualifications in Higher Education (ED)**

35. The Director-General presented a consolidated report on the monitoring of the 1993 Recommendation to the 187th session of the Executive Board (187 EX/20 Part II) and the 36th session of the General Conference (36 C/56). In the absence of a universal convention on recognition, the 1993 Recommendation is the only normative instrument connecting all regions and serving all Member States. 36 C/Resolution 12 invites the Director-General to continue monitoring the 1993 Recommendation in the context of revisions to the regional and interregional conventions on the recognition of studies and qualifications in higher education.

36. Currently, two regional conventions have been revised (Europe and North America in 1997, Asia and the Pacific in 2011) and one is being examined and revised pursuant to 35 C/Resolution 11 and 36 C/Resolution 14 (African States). The new generation of conventions reflects a cross-regional alignment in priorities for fair recognition. The process of revising all existing conventions according to these principles and which allow adoption by all Member States could lay the ground for preparing a universal convention on recognition in higher education.

37. Pursuant to 35 C/Resolution 11, an International Conference of States (ICS) to examine and adopt amendments to the 1983 Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific was convened in Tokyo, Japan, from 25-26 November 2011. The ICS was hosted by the Ministry of Education, Culture, Sports, Science and Technology (MEXT) upon the invitation of the Government of Japan.

38. Member States from Asia-Pacific and Contracting States to the 1983 Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific were invited to the ICS as full participants. All other Member States of UNESCO were invited to take part as observers, as were representatives of IGOs, NGOs and experts. The ICS was attended by a total of 88 participants: 76 participants from Member States out of which 62 were

from the 26 participating Member States and 14 from the observer Member States. In addition, eight representatives of NGOs and IGOs and four resource persons attended the ICS.

39. At the ICS, nine States signed the newly revised Asia-Pacific Convention: Armenia, Bangladesh, Cambodia, China, Lao People's Democratic Republic, Republic of Korea, Timor-Leste, Turkey and Holy See. The Convention shall enter into force on the first day of the month following the expiration of the period of one month after five UNESCO Member States of the Asia-Pacific region have expressed their consent to be bound by this Convention.

- **2001 Revised Recommendation concerning Technical and Vocational Education (ED)**

40. (See paragraphs 13 to 15 above.)

- **2003 Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace (CI)**

41. In compliance with the legal framework adopted at the 177th session of the Executive Board, the 36th session of the General Conference considered the 2nd consolidated report on the implementation by Member States of this Recommendation. While reaffirming the importance of the Recommendation and its implementation by Member States, the General Conference invited those Member States which have not taken measures to implement the Recommendation to do so and to contribute to the reporting process established by the General Conference. The General Conference invited also the Director-General to transmit to it at its 38th session the 3rd consolidated report on the implementation of this Recommendation.

Action expected of the Executive Board

42. In the light of the foregoing, the Executive Board may wish to adopt a decision along the following lines:

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/...),
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 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.



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IMPLEMENTATION OF STANDARD-SETTING INSTRUMENTS

PART II

**ACTION PLAN FOR THE REVIEW OF THE
1976 RECOMMENDATION ON THE DEVELOPMENT OF ADULT EDUCATION**

SUMMARY

This document informs the Executive Board about the action plan for the review and update of the 1976 Recommendation on the Development of Adult Education, in accordance with 187 EX/Decision 20 Part V and 36 C/Resolution 13, and as set out in the Belém Framework for Action, the outcome document of the 6th International Conference on Adult Education (CONFINTEA VI, Belém, Brazil, 2009).

The financial or administrative implications of the reported activities fall within the parameters of document 36 C/5.

Action expected of the Executive Board: draft decision in paragraph 5.

BACKGROUND

1. Pursuant to 187 EX/Decision 20 Part V and 36 C/Resolution 13, the Director-General submits a plan of action to review and update the 1976 Recommendation on the Development of Adult Education in reflection of contemporary educational, cultural, political, social and economic challenges as set out in the Belém Framework for Action, the outcome document of the 6th International Conference on Adult Education (CONFINTEA VI, Belém, Brazil, 2009). The proposed plan of action is in line with UNESCO's "Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution".

2. By 36 C/Resolution 13, the 36th session of the General Conference took note of the mechanisms of the CONFINTEA process, especially the Global Report on Adult Learning and Education (GRALE) and the Belém Framework for Action, which help implement and monitor the 1976 Recommendation. UNESCO continues to monitor the implementation of the 1976 Recommendation on the Development of Adult Education. The Organization is collecting information from Member States, by February 2012, on their implementation of the Belém Framework for Action. This will provide relevant background information concerning the application of the 1976 Recommendation and advice concerning the need to revise it. The information gathered from the Member States will generate evidence for the preliminary study of the technical and legal aspects relating to the desirability of revising the 1976 Recommendation to be elaborated by an Expert Group.

3. An Expert Group will be set up, composed of a maximum of six representatives of governmental and non-governmental representatives from Member States reflecting a broad spectrum of policy and practice of adult learning and education in all world regions. Members of the Expert Group will be selected on the basis of their experience and prior involvement in documenting and monitoring the global development of adult learning and education.

4. The review and update of the 1976 Recommendation will include a broad consultation between various stakeholders along the following steps and timeline:

- May 2012: Establishment of the Expert Group, definition of its Terms of Reference
- July 2012: Meeting of the Expert Group to prepare a first draft of the preliminary study of the technical and legal aspects relating to the desirability of revising the 1976 Recommendation
- Sept 2012: Online consultation involving a broad range of actors and stakeholders concerning the elements requiring a possible revision of the 1976 Recommendation
- Until Spring 2013: Finalization of the preliminary study and the recommendation concerning a possible revision of the 1976 Recommendation
- 191st EXB: Consideration of the preliminary study by the 191st session of the Executive Board (EXB), with a view to the inclusion in the agenda of the 37th session of the General Conference (GC) of the question of the desirability of revising the 1976 Recommendation
- Summer 2013: (Subject to the decision of the Executive Board) Communication to Member States of the copy of the preliminary study, together with the Executive Board's observations and decisions thereon

- 37th GC: Consideration of the desirability of revising the 1976 Recommendation, accompanied by the preliminary study and the Executive Board's observations and decisions thereon, by the 37th session of the General Conference
- 2014: (Subject to the resolution of the General Conference) Drawing up of the draft revised text of the 1976 Recommendation according to the resolution adopted by the 37th session of the General Conference with possible category 2 meeting of governmental experts
- 38th GC: Consideration and adoption of the draft revised text of the 1976 Recommendation on the Development of Adult Education by the 38th session of the General Conference

5. In the light of the above, the Executive Board may wish to take the following decision:

The Executive Board,

Recalling that at its 19th session (Nairobi, 1976) the General Conference adopted the Recommendation on the Development of Adult Education,

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,

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,

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/..),

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.



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IMPLEMENTATION OF STANDARD-SETTING INSTRUMENTS

PART III

IMPLEMENTATION OF THE 1974 RECOMMENDATION ON THE STATUS OF SCIENTIFIC RESEARCHERS

SUMMARY

In accordance with 177 EX/Decision 35 (I) and 187 EX/Decision 20 (I), the present document contains a report on the monitoring of the Recommendation on the Status of Scientific Researchers (1974).

Financial implications: see paragraph 12.

Action required of the Executive Board: proposed decision in paragraph 13.

I. BACKGROUND

1. The Recommendation on the Status of Scientific Researchers (hereinafter referred “the 1974 Recommendation”) was adopted by the General Conference on 20 November 1974. Since its adoption, the implementation of the 1974 Recommendation has been monitored on an ad hoc basis. The present report is set therefore in accordance with the new procedures adopted in 2007 for the monitoring of the implementation of UNESCO conventions and recommendations for which no specific institutional mechanism is provided (177 EX/Decision 35 (I)) and 187 EX/Decision 20 (I).

2. The 1974 Recommendation combines, in one normative statement, considerations on science ethics and on science policies that sketch a strong framework to support science for society. The Recommendation expresses the concern, in its preamble, to “encourage and assist indigenous capability to perform research and experimental development in an enhanced spirit of responsibility towards man and his environment” and is premised on the assumption that “concrete action for the introduction and pursuit of adequate science and technology policies” can “considerably assist” in the creation of conditions conducive to such desirable outcomes. For the purposes of the 1974 Recommendation, “The word ‘status’ as used in relation to scientific researchers signifies the standing or regard accorded them, as evidenced, first, by the level of appreciation both of the duties and responsibilities inherent in their function and of their competence in performing them, and, secondly, by the rights, working conditions, material assistance and moral support which they enjoy for the accomplishment of their task.” (Paragraph 1(e)). Science policies thus provide the institutional background against which ethical science is possible.

3. The Recommendation addresses these concerns about the need to provide an institutional basis for ethical science through a series of detailed guidelines that deal with the role of science in national policy-making (Paragraphs 4-9), scientific education and training (Paragraphs 10-12), the professional rights and responsibilities of scientific researchers (Paragraphs 13-19), and employment and career development of scientific researchers (Paragraphs 20-42).

4. Issues relating to the role of science in policy-making, scientific education and training, and the professional rights and responsibilities of scientists, have further been addressed in the Declaration on Science and the use of Scientific Knowledge, adopted as an outcome of the 1999 World Conference on Science and subsequently endorsed by the General Conference (30 C/Resolution 20).

5. With respect to science ethics, the Executive Board has specifically invited the Director-General “to analyse the ethical principles of the Recommendation on the Status of Scientific Researchers as well as of the ethical aspects of the Declaration on Science and the Use of Scientific Knowledge, in order to encourage their use by Member States” (175 EX/Decision 13). In considering these issues at its 6th Ordinary Session (Kuala Lumpur, Malaysia, June 2009), the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST) reached the conclusion that, while still valuable, the 1974 Recommendation fails to deal with certain major issues of contemporary concern and does not, by itself, provide a fully adequate framework for the adoption by Member States of appropriate policies. On this basis, COMEST adopted the following recommendations:

- The monitoring process should be designed so as to ensure integration of science ethics and science policy issues. It should also give Member States the opportunity to comment on the limitations of the 1974 Recommendation and the practical steps that might be taken to supplement it, inter alia through enhanced articulation with the 1999 Declaration on Science and the Use of Scientific Knowledge.

- In addition to monitoring of national policies, consideration should be given to the impact of globalization, with particular reference to fair employment and non-employment conditions across and within national research systems.
- Particular attention should be given in analysis and follow-up of the monitoring process to global inequalities including brain drain and inequitable distribution of research funds.
- The role of public investment in research leading to public benefit should be promoted. Public-private partnerships, where relevant, should be equitable with regard to sharing of costs and benefits.
- In monitoring the 1974 Recommendation, taking account of the economic importance of the knowledge society, UNESCO should consult Member States on the need for new ethical thinking on private-sector research and on intellectual property rights.

6. The Assistant Director-General for Social and Human Sciences wrote to all Member States on 30 September 2011 requesting information on implementation of the 1974 Recommendation to be submitted by 15 January 2012. In view of concerns about the continuing relevance of the 1974 Recommendation, as expressed in particular during the regional and national expert consultation meetings held in 2006 and reported to the Executive Board in document 175 EX/14, and of the ad hoc basis monitoring over a long period, Member States were not requested to provide information on action specifically taken to implement its various provisions, but rather invited to answer the following three questions.

- “To what extent do you judge national legislation in the areas covered by the Recommendation to conform to the principles that it lays down?”
- To what extent do you judge institutional practices in the areas covered by the Recommendation to conform to the principles it lays down? Indications on the views of national scientific communities in this respect would be particularly welcome.
- To what extent do you regard the Recommendation as an adequate and currently applicable framework for the science ethics and science policy issues that it is designed to address? On the basis of the answer to this question, you may wish further to indicate whether you believe that the General Conference should in due course determine a timeframe and a procedure for regular future monitoring of the Recommendation. You may also wish to indicate whether you believe that the Recommendation should be updated, revised or otherwise refined, possibly by reference to the 1999 Declaration on Science and the Use of Scientific Knowledge, as suggested by the Executive Board in 175 EX/Decision 13, as quoted above.”

In considering these matters, Member States were also invited to take note of the COMEST recommendations quoted in the above paragraph 5.

7. By or shortly after the deadline, submissions had been received from the following 17 Member States: Armenia, Austria, Belgium (Francophone and Germanophone Commission for UNESCO), Cyprus, Denmark, Egypt, Finland, Germany, Kazakhstan, Latvia, Malawi, Monaco, Philippines, Poland, Portugal, Slovakia and the former Yugoslav Republic of Macedonia. In addition, the following six Member States had either requested an extension or specifically indicated that they would be submitting information at a later date, following national consultations: Algeria, Australia, Brazil, Canada, Côte d’Ivoire and France.

8. Member State submissions uniformly expressed the view that their national legislation conforms with the principles laid down in the 1974 Recommendation.

9. With respect to institutional practices, Member States also expressed the unanimous view that the principles laid down in the Recommendation are respected.

10. Opinions are divided as to the current relevance of the 1974 Recommendation. While it is generally regarded as expressing basic principles of enduring value, it is nonetheless felt to be old-fashioned in formulation and, in many cases, to have been superseded by more recent instruments, such as those developed within the European Union. It was specifically suggested by one submission that “any future normative approach should rather start from the 1999 Declaration instead of the 1974 Recommendation, but incorporating crucial dimensions of the latter”, and similar sentiments were widely expressed. Only a minority of the Member States making submissions judged that the Recommendation is currently a fully adequate instrument for the issues it is designed to address.

11. The exploratory consultation summarized in the present report suggests that further consideration is required as to the continuing relevance of the 1974 Recommendation and the advisability in due course of review and updating. In view of the limited number of submissions, of the fact that further submissions are expected, and of the need to provide additional background information on possible options, it is proposed that the implementation of the 1974 Recommendation should be re-examined by the Executive Board at its 190th session.

12. The action called for in this report is covered by existing provision in document 36 C/5. Further monitoring of the implementation of the 1974 Recommendation, including consultation of relevant bodies (i.e. COMEST) and in light of the role of science in the decisions adopted in due course by the United Conference on Sustainable Development (Rio+20), can be ensured on the basis of staff time alone.

II. CONCLUSION

13. Accordingly, the Executive Board may wish to consider adopting 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/...,
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,
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.