

VI. Training subjects, focuses and actors in the new recommendation

VI.1 Notes on the two dimensions of the efficacy of Recommendation 195

172. The adoption of the new international instrument has given rise to a series of expectations about what the future holds for this standard, not only as regards its impact in the world of ILO standards, that is to say as regards the standards, practices and discourse that have to do with the ILO's mission, but also as regards its potential impact with respect to re-ordering systems in countries and in vocational training.

Both of these aspects are important, although at times it seems that focuses on the effects of international labour standards dwell almost exclusively on the efficacy that these standards have in the national ambit.

This *one-dimensional view* of the instruments produced by the International Labour Conference tends to focus attention on the impacts the new standard may have on national vocational training systems, and in the sphere of regional integration where some systems in this field have already been organized.

On this point, it should be noted that there is uneven but clear progress in integration agreements like the European Union and the Mercosur, and also some initiatives that have as yet not fully taken shape like the Andean Community of Nations (CAN). Therefore, declarations of principles, the coordination of systems, projects to establish modalities for the certification and recognition of skills and abilities, and even the implementation of training and teacher-exchange programmes, are all becoming more and more important in these spaces and are making the systems more and more alike. But this dynamic is also generating another kind of coming together, which has to do with shared perceptions and cooperative action by groups. This was very noticeable in the debates about Rec-

ommendation 195; different groups made common cause and took joint initiatives during the course of these meetings.

However, the integration perspective is not really a novel position in the recommendation even though it might have been expected that, given the current levels of progress of some of these processes, more space and time should have been given to these aspects. In fact, these aspects are not explicitly mentioned in the final text, and it seems they will continue to progress parallel to the ILO system.

173. To return to our main theme, it has to be said that a fair part of the contribution that Recommendation 195 can make will depend on the re-building or reinstatement of constitutional mechanisms to monitor the implementation of the recommendations, as was mentioned in chapter II of this book.

Given that application is voluntary, it may be that the most obvious demonstration of the importance of the new standards instrument will be that it could serve as an inspiration for solutions that each individual country might implement. The new recommendation is undoubtedly very “modern” as it incorporates focuses that are currently fashionable in many national systems, like *labour competencies* for example. However, we should note that the integration of this conceptual instrument into systems was effected without the necessary development in institutions. This was because some governments were unable to fully implement the recommendations in question, and this prevented any progress beyond the mere setting up of “national frameworks”.

In any case, the incorporation of these focuses and of a number of novel subjects into national ambits, which will mean important adjustments in a changing world, will not only depend on the ways that these global processes evolve. Another determinant factor is the possibility that developing countries have to keep up with this dynamic. This could be quite difficult, or at least relatively slow, to the extent that the recommendation does not give much support. To have an idea of the flimsiness of the instrument it is enough to note that informal work is hardly mentioned at all, and to recall that difficulties came up in the debates about recognizing “the weight of foreign debt” in the context of finding resources to meet the challenge of policies to develop human resources.

174. Another important element to consider here is that at the plenary session of the Conference the employers threw everything into doubt when they flatly refused to have the subject of collective bargaining included with refer-

ence to the different levels that figure in clause 5f) of the new instrument, and this led to them not voting for the recommendation as a whole. This is paradoxical because, for one thing, there are references to participation and consultation among the partners, and to social dialogue, throughout the entire text of the recommendation, so it would be difficult to do without an instrument as characteristic as collective bargaining. Besides this, there is a second paradox: if there is one thing above all else that distinguishes Recommendation 195 from its predecessor, Recommendation 150, it is precisely that the new instrument makes provisions for spaces for participation that are agreed by all the partners, but when it came to adoption by the Conference the employers as a group refused to vote for it. It remains to be seen how this situation will be handled by each of the member countries, and the outcome in each case will depend on each individual labour relations system.

175. Before we go on to examine some of the most important aspects of the content of the new recommendation, we should first give some consideration to the impact of the instrument on what we have called “the world of ILO standards”.

In fact, the new recommendation was adopted almost immediately after the ILO had finished drawing up a procedure for retiring obsolete recommendations that were replaced in practice or in law, and this covered instruments in the area of vocational training. The process of successive synthesis that was wrought by Recommendations 117 and 150 tended to simplify standards because these instruments were increasingly general in scope, but at the same time they were making the network of standards denser and more complex since the solutions adopted were more and more detailed.

At the end of this process there is now just one standard in force for vocational training: Recommendation 195. This is an achievement, certainly, but it also involves a challenge because this recommendation has to be brought into harmony and made compatible with Convention 142. The two instruments are separated by a gap of 29 years, and in that time the world has changed completely. In fact, although the new standard is replacing a former standard and therefore does not involve any difficulties that might arise from conflicting interpretations or having to be coherent with its predecessor, it does inevitably run into problems because of one specific characteristic. This is that Recommendation 195 is not an autonomous recommendation, it supplements or accedes a

convention which preceded by a very long period of time, and as of July 2004 this convention, number 142, had been ratified by sixty-four countries.

176. Lastly, it is interesting to note that the ILO used the term “social partners” to designate actors, instead of the usual “employers’ and workers’ organizations”, and in the debate of the Human Resources Development Committee this gave rise to a certain amount of confusion. In social theory the term “social partners” carries the connotation of “social dialogue”, which is another new term that has taken over from the traditional word “bargaining”.

But there are other innovations besides this use of novel terminology.

There are also conceptual aspects, like the new role of the State and of the social partners, the fact that the market has been given a more prominent role, and the development of an entrepreneurial spirit and entrepreneurial capacities. All of these involve questions that are part of the current climate in the ILO, and that are in some way reinforced by being recognized in the standards laid down in the new recommendation.

We will look at some of these questions in greater depth in this concluding section of this book.

VI.2 A new role for the State?

177. Two features that recurred time and again in the preparatory documents for the new recommendation were that the relations between the State and the social partners was given a new set of rules as regards the roles that they play and the associations they could develop, and that an unprecedented boost is given to vocational training service providers.

This is very different from Recommendation 150.

In the new instrument we will not find a provision such as that in chapter II, number 4.1 of Recommendation 150: “Members should adopt and develop comprehensive and co-ordinated policies and programmes of vocational guidance and vocational training, closely linked with employment, *in particular through public employment services*” (our emphasis).

There are, on the other hand, many other kinds of formulations in which the roles of each party are made clear.

One example of this is in chapter I, 4b, which establishes that the members

should “recognize that the realization of lifelong learning should be based on the explicit commitment: by governments by investing and creating the conditions to enhance education and training at all levels; by enterprises in training their employees; and by individuals in developing their competencies and careers”.

On the subject of labour guidance, Recommendation 150 says that “Members should gradually extend their systems of vocational guidance”, including continually updated information on employment and the characteristics of occupations. In addition, guidance could include information about collective contracts and the rights and obligations of all interested parties (chapter III, number 7) and should be concerned with “providing, on a continuing basis, broadly conceived and realistic vocational guidance for the various groups of the population in all branches of economic activity” (chapter II, 5.2.b).

In Recommendation 195, on the other hand, the focus is more on procedures. There is a distinct lack of concrete stipulation about what guidance services the State actor should provide. The aim is rather to ensure that people have access to information and guidance, placement services and job-seeking techniques.

This is a very clear change from directly providing a service on the one hand to merely facilitating access on the other.

The new recommendation leaves it to the discretion of each individual country to determine responsibilities and functions in this area, and merely indicates which actors and services should be involved. It says, for example, that the member countries have a duty to “identify, in consultation with the social partners, roles and responsibilities of employment services, training providers and other relevant service providers with respect to vocational and career information and guidance” (chapter VIII, number 15).

Another modality that is used is to recommend certain measures that the member countries should take “in cooperation with” or “with the involvement of” the social partners.

We find this is chapter VI: “Measures should be adopted, in consultation with the social partners and using a national qualifications framework, to promote the development, implementation and financing of a transparent mechanism for the assessment, certification and recognition of skills, including prior learning and previous experience, irrespective of the countries where they were acquired and whether acquired formally or informally” (number 11.1).

178. In any case, the State will continue to have the “primary responsibility” for some training services. These are:

- a) For pre-employment training. The members have to “assume the primary responsibility for investing in quality education and pre-employment training, recognizing that qualified teachers and trainers working under decent conditions are of fundamental importance” (chapter II, 5.d), and also in chapter III, number 8 and chapter V, number 10a.
- b) For training the unemployed: “Members should establish, maintain and improve a coordinated education and training system within the concept of lifelong learning, taking into account the primary responsibility of government for education and pre-employment training and for training the unemployed, as well as recognizing the role of the social partners in further training, in particular the vital role of employers in providing work experience opportunities” (chapter II, number 6.1).

VI.3 Social actors, dialogue and bargaining

179. As a logical consequence of this decentralization that is coming into play for functions that were previously mainly the responsibility of governments, the role of the social partners becomes very important.

Before we look at this question in greater depth we should remember that in the new recommendation the traditional actors in labour relations are called “social partners”. This is a new term in the sphere of ILO standards, and during the debates at the Conference there was some doubt about who exactly it is meant to refer to.

The new term has less explanatory power than “employers’ and workers’ organizations”, the expression that up to that time had always been used in international instruments, but it is undoubtedly clear in this context that “partners” are the same as “organizations”.

At the 92nd meeting of the Conference, in the document “A Fair Globalization”, the Director-General said explicitly that “the ILO’s strengths are the energy and commitment of the social partners; ministries of employment, labour and social affairs, employers’ organizations and unions”.¹⁷⁵

175 Director-General’s Report on the World Commission on the Social Dimension of Globalization: “A Fair Globalization”, p. 55.

As was said in chapter V of this book, at the meeting of the Human Resources Development Committee the traditional ILO terminology was not (re)introduced, in spite of the efforts of the worker members and even of some governments. We should also note that the term “employers’ and workers’ organizations” was not used in the ILO questionnaire that paved the way for the first discussion.

As a consequence, and in spite of the participation granted to partners in training and guidance, we will not see instances of the kind of formulation that figured in Recommendation 150, like: “Members should aim in particular at establishing conditions permitting workers to supplement their vocational training by trade union education given by their representative organisations” (chapter II, number 5.2.i).

180. The instrument is full of examples of the roles the social partners are expected to play.

These actors will be involved on various levels:

- a) as regards pre-employment education and training, members should “(a) recognize their responsibility for education and pre-employment training and, in cooperation with the social partners, improve access for all to enhance employability and to facilitate social inclusion” (chapter III, number 8).
- b) as regards the identification of competencies “Members should: (a) promote, with the involvement of the social partners, the ongoing identification of trends in the competencies needed by individuals, enterprises, the economy and society as a whole” (chapter IV, number 9).
- c) in training and investment, governments should “(b) recognize the role of the social partners, enterprises and workers in training; (c) support initiatives by the social partners in the field of training in bipartite dialogue, including collective bargaining; (d) provide positive measures to stimulate investment and participation in training” (chapter IV, number 9);
- d) in incorporating the unemployed and people with special needs into the labour market (chapter V, number 10).

Although the much-debated involvement of the social partners is one of the main pillars in the structure of Recommendation 195, there is still some doubt about the instruments that can be used.

181. To be more specific, although there is recourse to social dialogue throughout the new recommendation we should not forget that the key controversy and disagreement in the Committee's debates centred on the subject of collective bargaining. In fact, the amendment that was proposed when it came to discussion of number 5f of the recommendation provoked such a negative reaction on the part of the employers that they did not support the instrument as a whole in the plenary session, and they described this provision as "disappointing".¹⁷⁶

Hence there is some degree of legitimate doubt about what the future of social dialogue mechanisms may be, beyond merely constituting a space for exchanging ideas. What is more, we are faced with the paradox that an instrument whose rationale is largely based on participation by the social partners in the most diverse ambits of training and guidance turned out in the end to be approved by only two of the three protagonists in labour relations, because of a failure to reach agreement on an essential point.

VI.4 Training providers and quality: the treatment of the public and private sectors

182. In the light of what has been discussed above, we should also focus on the role allocated to the vocational training market.

The government and the social partners should "promote diversity of training provision to meet the different needs of individuals and enterprises and to ensure high-quality standards, recognition and portability of competencies and qualifications within a national quality assurance framework" (chapter VII, number 13).

The previous provision only went as far as to specify some of the responsibilities of the social actors –unions and employers– and even then only among a series of regulations about the conditions under which training should operate. It even went so far as to establish conformity with the official training system. Recommendation 150 said that "Such policies and programmes should also encourage undertakings to accept responsibility for training workers in their employment. Undertakings should co-operate with the representatives of their workers when planning their training programmes and should ensure, as far as

¹⁷⁶ Provisional Record of the 90th meeting, Geneva, 2004, 26 eighteenth session, pp. 22 and 24. Elsewhere the provision was described as "infamous".

possible, that these programmes are in line with those of the public training system” (chapter II, number 4.5).

In the new recommendation there is no ruling at all about the link between training in enterprises and training that is given officially. Far from it in fact, since very wide margins are granted for training provided by private agents. For these, at most, it is established that quality management development will be promoted, but there is no provision for control of implementation. This is beyond any possible doubt since, as was mentioned above, on the Committee there was a very explicit refusal on the part of the employers and some governments to allow any attempt to bring quality control into the private system. In chapter VII, number 14, clause c) it says that the members should “include quality assurance in the public system and promote its development within the private training market and evaluate the outcomes of education and training”.

There is just one gap in this scenario for promoting the private offer in the training field: some leeway for State intervention is conceded when it comes to setting “quality standards for trainers” (chapter VII, number 14 c).

VI.5 Lifelong learning and labour competencies

183. Although there are traces of what might be called *continuing training* in previous instruments, it is in Recommendation 195 that *lifelong learning* as such appears for the first time, and in fact it is one of the main points in the instrument.

It is defined in chapter I, number 2 as encompassing “all learning activities undertaken throughout life for the development of competencies and qualifications”. “Labour competencies” is a term that can have a wide range of meanings. In Recommendation 195 it is defined in a very interesting and precise way in that it “covers the knowledge, skills and know-how applied and mastered in a specific context”.

184. The valuation of labour competencies is closely linked to the recognition and certification of vocational skills.

There are almost no references to this subject in Recommendation 150.

There is a mention in chapter IV B of “Vocational Training Standards and Guidelines” where we read “Standards covering the same occupations should be

co-ordinated in order to facilitate job mobility, with full recognition of the qualifications already held and of work experience in the occupation” (number 25.2).

The fact that there is no provision in Recommendation 150 about the acquisition of knowledge and skills through work practice and experience means that no reference at all is made to vocational certification in that instrument.

In Recommendation 195, on the other hand, it is said that, in consultation with the social partners, measures should be adopted for the evaluation, certification and recognition of vocational skills, including those acquired through prior learning and experience. There is no specific definition of the nature of these “national certification frameworks”, and this is because of the difficulties involved in capturing the great diversity of experiences in different parts of the world that there are in this field, and because many countries refuse to set up a single unified way to institutionalize certification.

VI.6 An important neologism: “entrepreneurship”

185. In Recommendation 150 there are no references to developing entrepreneurial capabilities, so what appears on this subject in Recommendation 195 is entirely new.

In the former instrument there was a chapter about “Training for Managers and Self-Employed Persons” (chapter V, numbers 29-31). In fact, there was resistance to this by the worker members, who argued that “the vocational training of supervisors and even more of management fall outside the scope of this instrument and should be considered separately”.¹⁷⁷

But in any case it was a specific standard for a special kind of worker (supervisors) and it had to do with their functions in the enterprise.

The approach in Recommendation 195 is quite different. There is no attempt to distinguish workers’ responsibilities, instead there has been a direct move into the field of entrepreneurial training itself.

186. On the other hand, Recommendation 195 does not contain provisions about self-employment while in Recommendation 150 (chapter V, number 31) there were provisions that dealt with this subject.

| 177 Provisional Record of the 60th meeting of the International Labour Conference, p. 555.

187. The inclusion of the concept of entrepreneurial training is in the chapter on vocational guidance. We read that governments should “provide information and guidance on entrepreneurship, promote entrepreneurial skills, and raise awareness among educators and trainers of the important role of enterprises, among others, in creating growth and decent jobs” (chapter VIII, number 15.d).

It says that international cooperation should “promote the development of entrepreneurship and decent employment and share experiences on international best practices” (chapter X, number 21.d).

While entrepreneurial training may be an innovation in Recommendation 195 with respect to its predecessor in the human resources development area, it is not so new with respect to other recent ILO documents.

Entrepreneurial training and the development of the entrepreneurial spirit feature in the Decent Work Program geared to “working out of poverty”, which was launched by the Director-General of the ILO.¹⁷⁸ In fact, in the Director-General’s report, there is a programme for governments to hold talks on a national level with the social partners and thus explore ways of providing an escape from poverty through work. The subjects that are defined include gender equality, social protection, rights and labour legislation reform, social dialogue, the setting up of associations, employment and enterprise development.

On this last point, there are a series of provisions about aspects like the quality of education and training systems, the evaluation of the conditions under which micro-enterprises operate and of the measures needed to help this sector make progress and provide employment for more people and under improved conditions, financial services in poor locations for small enterprises, the promotion of technological development, and so on.

The basis for this is that “most jobs are created in small enterprises so attention should be focused at the end of the production chain, to help these enterprises respond to global opportunities”.¹⁷⁹ In addition, and because it is essential to be able to assess “not only the quantity but also the quality of the employment created”, this calls for “a strengthening of the ILO’s work on entrepreneurship, enterprise growth and employment creation”. The Director-General’s report says that in this effort a suitable framework for proprietorship and social rights should

178 See the Director-General’s Report at the 91st meeting of the International Labour Conference.

179 See the above-cited Director-General’s Report on the Social Dimension of Globalization, called “A Fair Globalization”, p. 25.

be provided, and also support for associations, cooperatives and other measures aimed at overcoming informality.

There are references to entrepreneurship or the spirit of enterprise in other ILO instruments. In the Job Creation in Small and Medium-Sized Enterprises Recommendation (No. 189), 1998, it says that “Members should adopt measures which are appropriate to national conditions and consistent with national practice in order to recognize and to promote the fundamental role that small and medium-sized enterprises can play as regards (...) stimulating innovation, entrepreneurship, technology development and research”.

In other provisions there are recommendations to take measures to promote efficiency and competitiveness in enterprises, to remove obstacles, and especially to foster an entrepreneurial culture (chapter III). In the context of training, the members should consider “pursuing the development of entrepreneurial attitudes, through the system and programmes of education, entrepreneurship and training linked to job needs and the attainment of economic growth and development, with particular emphasis being given to the importance of good labour relations and the multiple vocational and managerial skills needed by small and medium-sized enterprises”.

The Promotion of Cooperatives Recommendation (No. 193), 2002, says that in order to promote the development of cooperatives and those who belong to them, the members should “develop their business potential, including entrepreneurial and managerial capacities”.

VI.7 The complementarity or autonomy of the new recommendation: a complex interconnection with Convention 142

188. As was mentioned above, the replacement of Recommendation 150 leaves Convention 142 with a new recommendation that is supposed to support it, but which only came into being twenty-nine years after it was written.

The reasons why Recommendation 150 has ceased to be relevant when it comes to regulating human resources development and training were dealt with at length in chapter 4 of this book, and they do not seem to support a move to revise the convention.

In the final paragraph of the resolution about human resources development that was adopted at the 88th meeting of the International Labour Confer-

ence it says that “Recommendation No. 150 should be revised in order to reflect the new approach to training. Although some aspects of the Recommendation are still valid, others have lost their relevance. There is a need for a more dynamic instrument that is more applicable and used by member States and the social partners in formulating and implementing human resources development policies, integrated with other economic and social policies, particularly employment policies. ”

And the document concludes “A new recommendation should be complemented by a practical guide and database that can be renewed on a continuous basis by the Office as part of its normal work.”

189. One interesting aspect of the situation that stands out is that while Recommendation 150 may be obsolete, it turns out that as time passed and social and economic conditions changed –which is what led to its obsolescence– these changes have not affected Convention 142, which deals with the same subjects and was adopted at the same meeting of the International Labour Conference.

There is no satisfactory explanation as to why different criteria are used for this evaluation of the group of standards that deal with human resources development and training. If the recommendation is in fact out of date, and if effectively –like all such recommendations– it supports and develops the principles and standards in a convention, in this case Convention 142, there should not be any difference in the way the situation is addressed, so there is a price to pay: the body of international rules and regulations becomes less coherent.

190. Apart from considerations about the different ways in which change has affected the two instruments and about the need for internal consistency in the legal system, there is also the question of whether it is possible for Convention 142 to be efficacious and amenable to implementation through recommendations that embody very different perspectives and solutions.

We also have to ask whether the countries that have ratified Convention 142 should be guided by the provisions of Recommendation 195.

If the complementary recommendations are instructions and guidelines for the member States when the time comes to apply the standards in conventions, which are of a higher order of obligation, it is not easy for Convention 142 to be so flexible as to be amenable to application in harmony with the guidelines in Recommendation 150 and at the same time in harmony with the very different guidelines in Recommendation 195.

Since conventions carry the force of obligation once they have been ratified, and recommendations are guidelines as to how they should be executed by “national legislation or otherwise” (article 19.6.a of the Constitution), it is obvious that if the two instruments contradict each other no country that has ratified Convention 142 will be able to apply Recommendation 195 when it comes to these conflicting points.

This is a complicated question because Recommendation 195 is not an autonomous instrument like, for example, Recommendation 117 concerning vocational training. It is complementary to Convention 142, and in its own preamble the legal force of that convention is noted. But if the recommendation contains solutions that are more modern and more tailored to a world that everyone acknowledges to have changed enormously since 1975, we would be faced with an unprecedented situation in which *in fact* (but not *in law*) a standard (a convention) that has greater legal force than the subsequent standard (a recommendation) would be replaced by it. Logically, therefore, countries that have not ratified Convention 142 might find better solutions in Recommendation 195, and this could turn into a factor that inhibits future ratifications of the Convention.

When we go deeper into this question we find that it is precisely in this area of the putting training and labour guidance policies, programmes and systems into practice that the recommendation turns out to be more relevant than the convention. This will surely trigger off a dynamic which will make it even easier to execute by implementation in the “form of law” or by adopting “other measures” (article 19.6.b of the ILO Constitution). Hence it is no surprise, if we follow this reasoning, that Convention 142 might run into greater problems as regards ratification and could even be censured, because Recommendation 195 is not only more modern and tailored to current realities but also more flexible and, since it lacks the force of an obligation, involves making fewer firm commitments.

As was said above, the other alternative is also complex. The countries in which Convention 142 already has the force of law will run into difficulties when it comes to applying some of the main guiding principles in Recommendation 195. The differences between the two instruments will be explored in greater depth below.

191. But we should first examine some points about the legal validity of these two instruments.

We can note, for example, that the resolution about human resources development at the 88th Conference concludes with an observation that the recommendation could be supported by a “practical guide and database”.

Recommendations about recommendations, additions to flexible norms that end up establishing a mechanism similar to the two-sided model of convention and recommendation.

This proposal was made in 2000. At that time nobody anticipated the subsequent difficulties it might lead to, but it can be interpreted today in a way that complicates the difficult task of establishing coherence between Convention 142 and Recommendation 195.

First a recommendation, and then a list of recommendations about the recommendation? Would this not in fact amount to subtly establishing the criteria of extreme flexibility in international standards, in the name of bringing the instrument up to date?

192. There remains one unavoidable question that has not yet been asked, and it does not have an easy answer: Why was it not Convention 142 that was changed?

It is clear that the answer to this has more to do with aspects of the ILO’s standards policy than with vocational training itself.

193. And there is one last point to consider, the question of compatibility between the actual content of the convention and that of the recommendation.

Our analysis of the changes in the new recommendation with respect to its predecessor will also serve when we come to compare it with Convention 142.

The State is given a bigger role in the field of guidance and training in the convention than in the new recommendation.

In article 1 of Convention 142 it says that “Each Member shall adopt and develop comprehensive and co-ordinated policies and programmes of vocational guidance and vocational training, closely linked with employment, *in particular through public employment services*” (our emphasis), but naturally, this reference would not figure in an instrument like the new recommendation that grants extensive participation to the social partners and private sector. In fact, in the recommendation, governments “should” above all else create an economic environment and incentives that will encourage individuals and enterprises to participate in training (numbers 5 a and b).

In addition, bearing in mind the Private Employment Agencies Convention of 1997 (No. 181), there is no doubt that the regulations in employment services today are more flexible than in the past. This explains why references in the recommendation to employment services do not mention the public system at all (number 15 c).

194. The aspects of training policies to be taken into account are also very diverse. Although article 1.2 of the convention refers to employment and economic, social and cultural goals, we should note that number 3 of the recommendation (also) includes lifelong learning, decent work, public and private investment, labour competencies, and the informal economy, all of which are conceptually new with respect to the previous instrument.

195. The right to vocational training is very clearly laid down in item number 4 of the new recommendation, and in the same provision there is a list of the various functions that the State and the social partners have to assume as regards lifelong learning. This whole concept is entirely new insofar as it does not feature in the convention at all.

196. Another area in the recommendation that does not feature in the convention is the valuation of labour experience and competencies, and the certification and recognition of vocational skills including prior learning and experience.

197. Lifelong learning is a central theme in the recommendation. We read in number 6.1 that “Members should establish, maintain and improve a coordinated education and training system within the concept of lifelong learning”, which involves well-defined guidance of the systems. The convention, on the other hand, merely states that all members “shall establish and develop open, flexible and complementary systems of general, technical and vocational education, educational and vocational guidance and vocational training, whether these activities take place within the system of formal education or outside it.”

According to the article 3 of the convention, guidance systems will be in the hands of governments, but in the recommendation the member States merely have to ensure access, which does not necessarily mean they will have to take charge of the services (number 15 a), and there are other innovations like entrepreneurial training guidance and the promotion of entrepreneurial skills (number 15 d).

198. The situation is similar when we come to the question of training. In the convention, article 4 states that “Each Member shall gradually extend, adapt and harmonise its vocational training systems”, but, at the other extreme, number 13 of the recommendation stipulates that “Members should, in cooperation with the social partners, promote diversity of training”.

Another difference is that the involvement of “employers’ and workers’ organizations” as laid down in the convention is changed in the recommendation to the involvement of “partners and other interested parties”. In the convention the member States should establish guidance and training policies and programmes in cooperation with the social partners, but in the recommendation the members are required to determine, in consultation with the partners, the functions and responsibilities of employment services, training providers and other service providers in the area of vocational information and guidance (number 15 c).

