

Revised Mandate of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel¹

Mandate of the Joint Committee

The mandate of the Joint Committee is:

1. In accordance with established procedures, to examine:

(a) the reports from governments on the application of the ILO/UNESCO Recommendation concerning the Status of Teachers, 1966 and the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel, 1997;

(b) studies and reports of ILO and UNESCO on specific items of the 1966 and 1997 Recommendations and on activities undertaken to promote knowledge and a better application of their provisions in areas requested by the Joint Committee, including reports of national, subregional and regional seminars, symposia and workshops;

(c) reports by national organisations representing teachers and their employers, and similar international non-governmental organisations enjoying either observer status with ILO or maintaining formal relations with UNESCO, and reports or other sources of information of intergovernmental organisations concerned with education in relation to the application of the 1966 and 1997 Recommendations.

These studies and reports, or where appropriate, a summary of the relevant information, are prepared at the initiative of the Joint Committee.

2. To report on the application of the 1966 and 1997 Recommendations on the basis of the examination of the reports and studies referred to above in paragraph 1(a), (b) and (c) to the competent bodies of ILO and UNESCO with a view to such separate but parallel action as these organs deem appropriate.

3. To recommend to the competent bodies of ILO and UNESCO initiatives to promote better understanding and implementation of both the 1966 and 1997 Recommendations.

Composition and terms of office

4. The Joint Committee is composed of 12 independent experts, designated and acting in their personal capacity, of whom six are nominated by ILO and six by UNESCO. They are selected on the basis of their competence in the main fields covered by the 1966 and 1997 Recommendations and their knowledge of the problems that may arise in their application. The members are drawn from all geographical regions, with due consideration to differences in educational and socio-

¹ Approved by the Governing Body of the ILO at its 276th Session, November 1999, by the Executive Board of UNESCO at its 157th Session, October 1999, and by the General Conference of UNESCO at its 30th Session, November 1999.

economic systems, and as far as possible, equitable distribution between men and women. No two members may be designated from the same country. The members of the Joint Committee serve without honoraria; travel and per diem allowances for attendance at sessions are financed by the two organisations.

5. The initial term of office for members is six years, or until the end of the scheduled mandate for those members appointed on an interim basis as set out below. After that, renewal for one or more full terms of office is possible on decision of the competent body of the appointing organisation. ILO or UNESCO shall appoint a new member to the Joint Committee at any time if one of its members provides notice that he/she is unable to continue serving on the Joint Committee for personal or professional reasons, if a change in the professional status of the member precludes continuation by virtue of the criteria for appointment set out above, or at any time if the appointing organisation determines that replacements are needed to ensure renewal of the membership of the Joint Committee. This new appointment will be for the remaining period of the mandate of the outgoing member of the Joint Committee.

Organisation of the work of the Joint Committee

6. *Date and place of sessions.* The Joint Committee holds its sessions every three years, at a date and place and for a period determined by the Governing Body of the ILO and the Executive Board of UNESCO.

7. *Officers of the Committee.* At every session the Joint Committee elects a Chairperson, a Vice-Chairperson and one or more rapporteurs, who shall remain in office until the following session.

8. *Agenda.* A draft agenda of each session is proposed by ILO and UNESCO taking particular account of the recommendations of the previous session of the Committee.

9. *Working sessions.* The Joint Committee meets in closed sessions. Its discussions are confidential. The Joint Committee may decide to suspend its working sessions for the purpose of holding information sessions to hear the views of interested organisations on matters relating directly to the 1966 and 1997 Recommendations.

10. *Documents.* The documents for the Joint Committee are:

(a) *Preparatory documents for initial discussion by the Joint Committee.* These are confidential unless otherwise determined by the secretariat of the Joint Committee in consultation with the Chairperson or, in his/her absence, the Vice-Chairperson.

(b) *Working documents.* Except where otherwise determined in the manner stipulated in 9(a), these are not confidential and comprise documents, reports and studies prepared for it by the two organisations, either jointly or separately, as appropriate. These are based on information supplied by governments, by national organisations representing teachers and their employers, by international non-governmental organisations enjoying either observer status with the ILO or maintaining official relations with UNESCO, by intergovernmental organisations concerned **with**

education, and other documents in the public domain, as well as information supplied by the ILO and UNESCO.

11. *Additional sources of information.* The Joint Committee has recognized the need to secure information from interested parties in education, including representative organisations of teachers, on topics of concern to them and which fall within the limits of the Joint Committee's mandate. It will therefore receive such additional contributions as would serve to enhance both broader contacts with the educational community and the capacity of the Joint Committee to deal with substantive questions fairly and objectively. At the same time, due regard to the need to safeguard the independence, impartiality and objectivity of its deliberations will be maintained. Such contributions should be in writing, and where they relate to any other body should be communicated to such body for its observations. In this way, it will be possible to encourage a full and open dialogue between all the parties concerned by facilitating equal opportunity for making known their views and comments on matters suggested for serious consideration by the Joint Committee.

12. *Examination of agenda items.* In view of the increasing complexity of the issues before it, and the need to apply to the fullest the expertise of its members, the Joint Committee may decide to assign to one or more of its members the initial responsibility for a particular subject or section of the 1966 or 1997 Recommendations. On the basis of documents prepared by the secretariat of the Joint Committee and communicated to the members prior to the session of the Joint Committee, the relevant member or members will examine the available information and, where appropriate, submit draft conclusions to the Joint Committee as a whole. In doing so, a member may, if necessary, also request additional information, as mentioned in paragraph 11, through and in agreement with the joint secretariat. Such requests should be sent early enough to ensure that the procedure defined in that paragraph is respected (i.e. a written reply, and, when authorities or organisations are mentioned, communication of the reply to them for their observation).

13. *Working parties.* To facilitate the smooth functioning of its sessions, the Joint Committee may establish working parties or subcommittees composed of two or more of its members to consider or act in an advisory capacity in relation to special items such as studies on particular aspects of either of the Recommendations, allegations concerning non-application of part or all of the 1966 or 1997 Recommendations' provisions, means of improving knowledge and application of the Recommendations or changes in its working methods. The working parties shall submit their draft findings and proposals for consideration to the Joint Committee as a whole.

14. *Allegations.* Neither the 1966 Recommendation nor the 1997 Recommendation is a legally binding instrument, and the role of the Joint Committee is not judicial. Nevertheless, an important function of the Joint Committee is the consideration of information on problems associated with the application of the 1966 or 1997 Recommendations, and the encouragement of governments, employers' and teachers' organisations to adopt measures which would enhance the status of the teaching profession. The Joint Committee will continue the practice applied since its second ordinary session in 1970 in respect of the 1966 Recommendation, and endorsed by the governing bodies of the ILO and UNESCO, whereby national and international teachers' organisations may submit to it communications concerning the non-application of the provisions of the **1966** Recommendation, as well as those of the 1997 Recommendation, in a given country.

15. To be receivable, any allegation must be related to the provisions of either Recommendation, must emanate from a national or teachers' organisation and must not fall within the competence of other bodies of ILO and UNESCO established to monitor conventions or other international instruments.

16. On receipt of any communication that it considers to concern an allegation and is considered within its competence as indicated in paragraph 15, the secretariat of the Joint Committee shall request additional information of the organisation making the allegation if requested by the Joint Committee's working party on allegations. The original communication and any supplementary information shall be referred to the government of the country in question for its comments within a period of time specified by the Joint Committee. Such comments shall in turn be submitted to the organisation(s) making the allegation for additional observations, and these in turn shall be submitted to the government for its final remarks, if any. In the event that a government which has been requested to make observations on an allegation submitted by a teachers' organisation fails to respond within a reasonable time following the original communication and a reminder, the allegation may be submitted to the Joint Committee with a note that the Government has failed to respond.

17. The original communication and all observations of the parties shall then be submitted to the Joint Committee for examination at its next session. Where appropriate, information related to its consideration of allegations shall be sought from sources that are available in accordance with its mandate. The Joint Committee's views shall in turn be published as part of its report.

18. *Submission of the report.* The Joint Committee's reports shall be submitted to the Governing Body of the ILO, with a request that the reports be transmitted to the Committee on the Application of Conventions and Recommendation of the International Labour Conference, and to the Committee on Conventions and Recommendations of the Executive Board of UNESCO, for transmission to the General Conference.

19. *Interim reports.* In accordance with previous decisions of the Governing Body of the ILO and the Executive Board of UNESCO,² in the event that the final draft of a report on an allegation which has been received since the end of the last session is prepared more than one year prior to the next scheduled meeting of the full Joint Committee, the working party of the Joint Committee which has prepared the report is authorized to transmit it, as the report of the Joint Committee, for consideration by the Governing Body of the ILO and the Executive Board of UNESCO, provided that it has been approved by the Joint Committee.

² In accordance with the 154EX/Decision 4.4, paragraph 5 of UNESCO, and GB.271/11/2, paragraph 56 of the ILO.