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Thirteenth Session

Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel

(Geneva, 1–5 October 2018)

Geneva, 2018



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Introduction

This report summarizes the analysis of major issues affecting the status of teaching personnel worldwide at all levels of education by the 13th Session of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (the Joint Committee), held in Geneva on 1–5 October 2018.

Established in 1967 after the ILO and UNESCO adopted a far-reaching Recommendation concerning the Status of Teachers (1966), the Joint Committee meets every three years to review major trends in education and teaching, and to make relevant recommendations. It also reviews allegations brought by teachers' unions regarding violations of the principles of the Recommendation. In 1997, when UNESCO adopted a Recommendation concerning the Status of Higher-Education Teaching Personnel, the Joint Committee was also charged with examining key issues facing higher education staff.

Composed of independent education experts from around the world, the 13th Session of the Joint Committee examined a number of urgent issues affecting teaching personnel, including the privatization of education, teaching in post-secondary Technical and Vocational Education and Training (TVET) institutions, teachers and the future of work, and education financing. The Joint Committee also examined a number of allegations from teacher unions regarding the application of the Recommendations.

The Joint Committee furthermore adopted a declaration on the occasion of its 50th anniversary.

The report of this session contains recommendations to the Governing Body of the ILO and to the Executive Board of UNESCO, and through them to governments, employers' and workers' organizations of their member States, on how to improve the condition of the teaching profession within their respective mandates, using the two Recommendations as guidelines. The recommendations of the Joint Committee are non-binding, being intended to guide the actions of national authorities, employers' and workers' organizations and other education stakeholders.

The Joint Committee's report is submitted to the Governing Body of the ILO, with a request that it 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. The report of the Joint Committee should be read together with any discussion of it at these respective bodies.

The next meeting of the Joint Committee will take place in 2021 in Paris. In accordance with its mandate, the Joint Committee may issue an interim report on allegations received between regular sessions.

Opening session

1. The Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (hereafter the Joint Committee) held its 13th Session in Geneva at the International Labour Organization (ILO) headquarters, from 1 to 5 October 2018.
2. In accordance with its mandate, the meeting focused on the monitoring and promotion by the Joint Committee of both the Recommendation concerning the Status of Teachers, 1966 (hereafter the 1966 Recommendation) and the Recommendation concerning the Status of Higher-Education Teaching Personnel, 1997 (hereafter the 1997 Recommendation).
3. The agenda of the Joint Committee covered the following substantive items related to its work and the two Recommendations:
 - (a) review of ILO and UNESCO joint or separate activities to promote the two Recommendations;
 - (b) teachers and the future of work;
 - (c) allegations submitted by teacher organizations concerning the application of the Recommendations;
 - (d) upper secondary and tertiary TVET conditions;
 - (e) assessment and evaluation of higher education personnel;
 - (f) privatization and education;
 - (g) 20 years of the 1997 Recommendation: assessment of trends and prospects for action;
 - (h) financing for education;
 - (i) 50 years CEART: CEART, the Recommendations, Sustainable Development Goals 4 (SDG 4) and the road to Education 2030;
 - (j) methodology and procedures of the Joint Committee.
4. Members of the Joint Committee designated by the Governing Body of the ILO and the Director-General of UNESCO were as follows:

Members appointed by the Governing Body of the ILO:

Dr (Ms) Beatrice Avalos (Chile), Associate Researcher, Centre for Advanced Research in Education, University of Chile.

Professor (Ms) Linda Chisholm (South Africa), Centre for Education Rights and Transformation, University of Johannesburg.

Professor (Mr) Maasaki Katsuno (Japan), Professor of School Development and Policy Studies, Graduate School of Education, University of Tokyo.

Professor (Ms) Denise Vaillant (Uruguay), Academic Director, Institute of Education, ORT University, Uruguay.

Professor (Ms) Frances Vavrus (United States), Department of Organizational Leadership, Policy and Development, University of Minnesota.

Members appointed by the Director-General of UNESCO:

Professor (Mr) Bernard Cornu (France), Honorary Professor, University Joseph Fourier, Grenoble, Deputy Mayor of Poitiers.

Professor (Ms) Konai Helu Thaman (Fiji), Professor of Pacific Education and Culture and UNESCO Chair in Teacher Education, University of the South Pacific.

Professor (Ms) Nada Moghaizel-Nasr (Lebanon), Professor and Dean of the Faculty of Educational Sciences, University of Saint Joseph of Beirut.

Professor (Ms) Munawar S. Mirza (Pakistan), Pro Vice Chancellor, Lahore Leads University, Professor Emeritus, University of the Punjab.

Professor (Mr) Gennady Ryabov (Russian Federation), Professor, Nizhny Novgorod Linguistic University and Nizhny Novgorod National Research University.

Professor (Mr) Toussaint Yaovi Tchitchi (Benin), Former Director, National Institute for Training and Research in Education (INFRE).

5. The Joint Committee designated the following Officers:

Chairperson: **Frances Vavrus**

Reporter: **Beatrice Avalos**

- 6.** Opening remarks on behalf of the Director-General of UNESCO were made by Mr Edem Adubra, Chief of the Section for Teacher Development and Head of the Secretariat of the International Task Force on Teachers, Division for Support and Coordination of Education 2030, and on behalf of the Director-General of the ILO by Ms Alette van Leur, Director of the Sectoral Policies Department.
- 7.** Ms van Leur stated there was an interest in a revitalized Joint Committee. The communiqué of the Joint Committee to the World Education Forum on empowering teachers had shown what an influence the Joint Committee could have. For its 100th anniversary in 2019, the ILO would address social justice, decent work and future of work. Teachers would play an important role in this debate and the Joint Commission had an opportunity at this session to influence these discussions. Indeed, decent work deficits were a major challenge faced by many teachers around the world. She recalled that the Joint Committee had called for ILO work on tertiary education. She was pleased that two weeks prior, the ILO had held a Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education, which had discussed working conditions in this sector of education, as well as issues such as academic freedom. One point of consensus of the Forum had been to strengthen the Joint Committee with a view to raising its profile.
- 8.** Mr Adubra noted recent changes in his organization's leadership, and a renewed focus on teachers. UNESCO played an important normative role on issues like academic freedom and access to quality teachers at all levels. It was important to use this session to re-examine the role of the Joint Committee in the light of the many new initiatives on teachers, as well as in the monitoring of the teacher target in SDG 4. He looked forward to using such occasions as World Teachers' Day and the upcoming Policy Dialogue Forum of the International Task Force on Teachers to highlight the work of the Joint Committee.

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9. Consistent with its practice, the Joint Committee created working groups to analyse agenda items related to the 1966 and 1997 Recommendations. All recommendations were discussed and adopted in plenary sessions.
 10. The list of documents considered by the Joint Committee is contained in Appendix II.

I. Monitoring of the 1966 and the 1997 Recommendations

A. Review of ILO and UNESCO joint or separate activities to promote the two Recommendations

11. The Joint Committee turned to a discussion of efforts to promote the Recommendations and the work of the Joint Committee. It was noted that the Recommendations and the Joint Committee did not have the visibility they deserved in an increasingly crowded field in education. Visibility may not be necessary if documents were written for a high-impact audience and addressed to those who could make a difference, as had been seen with the impact of the communiqué of 2015. It was suggested to use UNESCO National Committees to better promote the Recommendations. Another question was whether or not to promote the allegations mechanism, which was rarely used and often very slow. It was also noted that UNESCO had developed promotional materials on the Recommendations and asked for the support of the Joint Committee to disseminate these at educational events in their regions and through their networks.
12. Ms Helu Thaman noted that she had participated in the promotion of World Teachers' Day in the South Pacific. While this had been a success, many politicians continued to plead ignorance of the Recommendations. It was important to target policy-makers on teachers.
13. Mr Cornu noted that with regard to the allegations, many of the Recommendations were balanced, but perhaps a bit timid. The Joint Committee should be called upon and used by both organizations in a more strategic manner. He also noted that the world of teaching had changed since the adoption of the 1966 Recommendation. The Joint Committee could begin enumerating areas in which the Recommendation could be updated.
14. Ms Avalos observed that Education International (EI) could promote the allegation mechanism to more of its members. Certain cases which had been going on for years had not been referred to the Joint Committee.
15. Mr Adubra observed that the allegation mechanism was difficult with non-binding instruments such as the Recommendations. It was perhaps better to focus on promoting the Recommendations with policy-makers in charge of teacher policies.
16. Mr Liang noted that the allegation mechanism was known in some countries, and there was anecdotal evidence that the nagging power of the Joint Committee had prompted dialogue between unions and governments on certain issues. Nonetheless it was evident that the turnaround time for cases was long. The secretariat could develop a manual of procedures on such cases to harmonize its practices with other allegation mechanisms. An enumeration of gaps in the 1966 Recommendation could be a step forward in considering whether to envisage the updating of the Recommendation at a future conference.
17. Mr Adubra agreed and pointed out that early childhood education was not covered by the 1966 Recommendation. Perhaps the *ILO Policy Guidelines on the promotion of decent work for early childhood education teaching personnel* (2014) could be covered by the Joint

Committee. Mr Liang noted such a proposal would require a change in the terms of reference of the Joint Committee, which would have to be approved by the ILO Governing Body and the UNESCO Executive Board. Ms Avalos pointed out that education support staff, such as assistant teachers, were often left out of the work on the Recommendations.

18. The issue of translations of the Recommendations was raised. Ms Mirza pointed out that there were a number of unofficial translations, but they were not authoritative. UNESCO and ILO should do more to commission authorized translations into popular languages. Mr Ryabov agreed and said such translations should be better promoted by the country offices of ILO and UNESCO, and to the national ministries of education.

B. Major trends: The perspectives of international organizations

19. Continuing a practice from previous sessions, the Joint Committee invited a number of relevant organizations to provide additional information and views on issues arising from the two Recommendations.
20. A representative of (EI) reflected on the 2015 Joint Committee report and hailed the excellent recommendations the report made as well as the importance of the communiqué which had set out the theme for the 2018 World Teachers' Day. She nonetheless bemoaned its lack of visibility. Her organization offered to help disseminate the reports and Recommendations of the Joint Committee but also challenged the Committee to come up with other ways of sharing the Recommendations and reports around the world. EI informed the Committee that on the anniversaries of the 1966 and 1997 Recommendations, copies of both documents were distributed to the membership and that a specific report on the 1997 Recommendation had been published. The Executive Board of EI had reaffirmed the continued relevance of both the 1966 and 1997 Recommendations.
21. The speaker observed that early childhood education (ECE) was only partially covered by the 1966 Recommendation and welcomed that the conclusions of the 2015 Joint Committee report were in line with *the ILO Policy Guidelines on the promotion of decent work for early childhood education personnel*. EI actively promoted the Guidelines and wished that the Committee could be mandated to take on the role to oversee the Guidelines and take them forward in parallel with the 1966 and 1997 Recommendations.
22. EI noted with satisfaction that education and teachers had been given attention in the SDGs but was also concerned that the global goals were not being implemented on the ground. Global goals on educating the whole human being were in fact reduced to a narrow focus on test results of numeracy and literacy. Public funding was reduced and private fee-charging schools were expanding.
23. The speaker also noted the disturbing debates around the concepts of facts, research and opinions. The organization expressed concern about how teachers could relate in the world of transmitting and creating knowledge when perceptions about "truth" had become a political battlefield. The organization noted that it was committed to inclusive education; to reaching every single child and to giving them an education. Regrettably teachers were now being required to control and report on students. Certain groups of teachers suffered from discrimination, such as LGBTI teachers and those from indigenous and tribal communities.
24. EI further observed the disturbing trends prevailing in the education sector including the politicization of education; privatization and the increasing power of private actors to influence policy at all levels, increasing level of precariousness in employment conditions of teachers both in public and private sectors; and teachers' stress. In a number of countries freedom of association and the right to collective bargaining for teachers was non-existent.

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25. A representative from the International Trade Union Confederation (ITUC) pointed out the interesting intersection between educational rights and labour rights and underscored that a rights-based approach was needed. However, the commodification of education raised concern, as it led to various forms of work precariousness jeopardizing labour rights, notably freedom of association. Another matter of concern was the fact that being a member of a union was often seen as a sign of politization. In this context, upholding social dialogue and the right to collective bargaining was essential. Often market forces and employability seemed to be at the heart of education, while they should not be seen as the only issue at stake and the social value of education should prevail.
26. A representative of the Organisation for Economic Co-operation and Development (OECD) provided a short overview of their activities on teachers and teaching, which included the Teaching and Learning International Survey (TALIS), a worldwide evaluation on the conditions of teaching and learning, and the Programme for International Student Assessment (PISA), a worldwide evaluation of 15-year-old students' performance on mathematics, science, and reading, with global competence added for the 2018 assessment. Results from the 2015 PISA teacher questionnaire revealed that teacher-centred pedagogies produced better learning outcomes than student-centred pedagogies, which has promoted recognition that "good learning requires a strong teacher". Other related activities included: an annual International Summit on the Teaching Profession; a teacher-knowledge survey to assess whether teachers' pedagogical knowledge was at the level needed to effectively stimulate student learning; a first of its kind empirical study on initial teacher training, developed in response to shortfalls in the quality of teacher training; a teacher video study to analyse teachers' classroom practices through the use of new technologies; and, for the 2019–20 programme, a teacher well-being study that would expand on work from TALIS and PISA.
27. OECD indicated that teacher professionalism was one of the core themes of their work. While progress has been made towards teacher professionalization, additional efforts were needed. Teacher self-efficacy, especially in increasingly challenging circumstances, and professional autonomy were noted as key components of the process to professionalization. Given the range of policy-related issues with regard to teacher recruitment and retention, training and professional development, and evaluation, among other things, more effective teacher policies were on the political agendas of every country. Any policy education development without the active involvement of teachers, however, could not be effective. The impact of technology on pedagogy and the work of teachers was presented as an emerging issue, raising questions about how teachers could drive and impact innovation in the classroom. From the perspective of the OECD, technology should serve pedagogy, not vice-versa, particularly given that high learning outcomes were not always positively correlated with technological use.
28. A representative from the International Commission on Financing Global Education Opportunity introduced the work of the Commission addressing the "learning crisis", which mainly referred to the changes needed to ensure that the education workforce – encompassing teachers, education support personnel, and school and district leaders – was prepared for the future. The rationale was to examine how teachers could better deliver education by looking at these other roles, while acknowledging the essential role played by teachers. This entailed rethinking how the education workforce was designed, exploring the changing roles of teachers, and strengthening the education workforce. This work was done through examining labour-markets and in-depth case studies to redesign the workforce, and building on lessons from other sectors. As part of this approach, implementation challenges were explored, notably the political economic challenges.
29. During the discussion, the experts suggested looking at this issue from both design and implementation perspectives, as they were nonexclusive and could mutually explain the challenges in the day-to-day work of teachers delivering education. The importance of

looking at broader aspects of the issue was also noted in relation to public services in general. For instance, teachers' salaries were often depicted as stagnating while this trend was in fact not specific to the teaching personnel and widespread across the public sector. Drawing on a comparison with the health sector, it was noted that the West Africa region had expressed renewed interest in seeing health as an investment rather than a cost, exploring how it could promote growth and stimulate investments.

- 30.** A representative of the United Nations High Commissioner for Refugees (UNHCR) opened their presentation with data on the enrolment rates of refugees, noting that 4 million refugee children were out of school, with the number of refugees enrolled in successive school levels decreasing at each higher level, from 61 per cent in primary school, to 23 per cent in secondary school, to 1 per cent in higher education. Some of the barriers to accessing education experienced by refugees were identified as missing or insufficient documents, lack of recognition of certification from countries of origin, language barriers, financial constraints, lack of information on how to access higher education, sociocultural norms, and risks of sexual and gender-based violence. Integrating refugee populations into national education systems was cited as the most sustainable approach to the education of refugees.
- 31.** A representative of UNESCO initiated the discussion by outlining the 2018–21 programme of work of the Section for Teacher Development, which included: monitoring international normative instruments regarding the teaching profession; undertaking advocacy and knowledge sharing for the promotion of quality teaching and learning; supporting the development and review of teacher policies and strategies; implementing programmes for strengthening the quality of teaching and teacher education institutions; and building the knowledge and evidence base for supporting the implementation and monitoring of the SDG 4.c teacher target in the context of the Education 2030 Framework for Action. It was noted that while greater priority was being placed on teacher training, equitable deployment of teachers remained an issue.
- 32.** To support countries in developing national or regional teaching standards, UNESCO referenced its work on producing an International Guidance Framework for Professional Teaching Standards in collaboration with EI. Three flagship initiatives under the auspices of the International Task Force on Teachers for Education 2030 had also been developed to guide the review and development of national teacher policies: an annual Policy Dialogue Forum to yield impact on country policies, reflections and debates; a knowledge platform of the International Task Force on Teachers for Education 2030 to channel relevant publications, tools and information on teacher policies; and a Teacher Policy Development Guide to serve as a learning tool to support capacity development at the country level. UNESCO highlighted several initiatives where it has partnered with other international agencies and development partners to strengthen the quality of teaching and teacher education, such as a project funded by the Government of China to enhance the quality of teacher training in Africa through information and communication technologies, a project funded by the Norwegian Agency for Development Cooperation to improve coordination among agencies working on teacher policy reforms in Africa, and a project in collaboration with Voluntary Service Overseas (VSO) on the training needs and motivational barriers of early childhood teachers.

C. The status of teaching personnel: Trends in the application of the 1966 and 1997 Recommendations

Teachers and the future of work

Trends and issues

33. The world of work that today's primary students will meet upon graduation will be considerably different from the one of today. Teachers will need to prepare students for future jobs and to participate meaningfully in a future society that have yet to be imagined.
34. Major issues such as the rapid expansion of technology in the workplace, climate change, and demographic changes in society due to mass migration were not identified when the 1966 Recommendation was developed. These new trends are making the social environment around the school more complex and are changing the role of the teacher. The increasing access to technology and the internet has been a positive change around the world, but it also comes with challenges. Students can access a broad scope of information via the internet, some of which will be misleading and contradictory. Misinformation, poor economic prospects, and mass migration have led to the erosion of democratic values in some contexts. Societies around the world are becoming more ethnically and linguistically diverse, whether through voluntary or forced migration. Securing stable employment is becoming increasingly scarce and education is no longer a guarantee to employment. This is destabilizing the concept of schooling and by consequence the role of the teacher.
35. The future of work for teachers is a broader challenge than simply learning a new discipline or two. The role of the teacher will go beyond merely imparting knowledge – the jobs of the future will require that students understand the complex world around them, manage the overflow of information, adapt to rapidly changing social environments, and engage in sustainable development. But higher education institutions have been lagging behind in updating their teacher education curricula in preparing new teachers to meet the challenges of the future. Despite the ubiquitous presence of technology in society, teacher education programmes have been slow to fully integrate the use of technology for pedagogy. The lack of innovation in teacher education institutions has meant that the burden of teacher training, including its funding, has fallen on in-service provision, often from private providers.
36. Teaching continues to be a profession of low prestige. In some places around the world, teachers are employed on precarious contracts with poor salaries and no access to professional development opportunities. There continues to be pressure on teachers to focus on learning outcomes and the employability of students, driven by an economic agenda which overrides the discourse around education as a fundamental human right and a form of social justice.

Recommendations

37. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:
 - (a) review and update teacher education curricula in order to better prepare new teachers for jobs of the future. This will require collaborative partnerships among education researchers, teacher educators, government, industry, and social partners;
 - (b) encourage the use of technology for pedagogy;

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- (c) undertake empirical research to better understand how new global trends such as the rapid expansion of technology in the workplace, climate change, demographic changes, and mass migration are impacting the role of the teacher;
 - (d) ensure that the burden and funding for teacher training falls within the remit of teacher education programmes. In-service professional development should be reserved for updating teachers' knowledge and skills in light of new policies, methods, or practices. Pre-service and in-service training should be in the form of a continuum; both are necessary, but in-service training should not be provided in lieu of underfunded pre-service training;
 - (e) continue to promote teaching as a valued profession.

Upper secondary and tertiary TVET conditions

Trends and issues

- 38.** TVET is a diverse sector that encompasses a wide range of settings, including public and private technical and vocational centres and institutes, higher education institutions and workplaces in both formal and informal economies, and that incorporates a variety of institutional arrangements, organizational approaches and regulations.
- 39.** Processes of globalization, technological advancements and demographic trends have presented both challenges and opportunities in the TVET sector. The changes introduced by these trends have produced greater pressures on TVET teachers and trainers to adopt new models of teaching and learning to prepare students with the skills needed to engage with evolving labour market demands and a changing social and economic landscape. To be effective in this context, governments and TVET institutions must find innovative ways to anticipate the demand for new skills, and must ensure that teachers and trainers have access to continuous professional development and knowledge upgrading.
- 40.** Although technological change including digitalization has brought about innovation, generated efficiencies and improved quality of services, it has also led to job loss and is predicted to continue to do so in the future. Over the next decade, at least 1.44 billion workers worldwide are expected to be in vulnerable employment. This will exist alongside the growing problem of youth unemployment, which currently affects 73 million youth. In this context, TVET can play an important role by re-training those in vulnerable occupations for in-demand jobs, as well as by providing youth with the skills needed for decent work.
- 41.** The capacity of the TVET sector to realize this potential and to respond to the changing landscape and growing demand for its services is compromised by financial constraints, insufficient numbers of qualified teachers and trainers, inadequate salaries, poor working conditions, limited opportunities for professional development, and the low status of the profession, which has impacted the attractiveness of the sector for both youth and potential TVET teachers and trainers. These challenges can be addressed through strategies and initiatives designed to elevate the recognition and social value of TVET, enhance the status of the profession, and ensure decent working conditions and access to social dialogue.
- 42.** Significant progress has been made in multilateral cooperation on TVET, in the enhancement of skills for all and in particular youth, and in the improvement of education quality. Recent years have seen an increased interest in evidence-based policy-making in TVET and the use of valid and robust evaluation and monitoring instruments and indicators. However, long-standing concerns related to the monitoring and evaluation of TVET include the fragmented provision of TVET in many countries, various methodological challenges

associated with the definition of TVET programmes and the generation of relevant indicators, and the absence of adequate mechanisms to collect and analyse available data.

- 43.** The 1997 UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel does not make specific reference to TVET teachers and trainers. The guiding principles of the Recommendation nevertheless encompass practices relevant to TVET. These principles can provide guidance for the development of rights, responsibilities and procedures in the TVET sector, along with the Revised 2015 UNESCO Recommendation concerning Technical and Vocational Education and Training.

Recommendations

- 44.** The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:

- (a) provide opportunities for member States and TVET institutions and stakeholders to build capacity and share knowledge on TVET, including by supporting the organization of regional workshops, seminars and symposia, with the active involvement of CEART members particularly in their respective regions;
- (b) undertake and disseminate research on: good practices in TVET, including on the design, governance and management of funding mechanisms and the training and professional development of teachers and trainers; and the future of work in TVET to better anticipate the changing needs and demands related to the sector;
- (c) promote the principles and implementation of the Revised 2015 UNESCO Recommendation concerning Technical and Vocational Education and Training;
- (d) support greater cooperation between UNESCO, ILO and other regional and international partners to enhance the responsiveness of TVET policies and practices;
- (e) encourage member States to refine their practices by recognizing achievement in TVET teaching and learning practices through prizes such as the UNESCO-Hamdan bin Rashid Al-Maktoum Prize for Outstanding Practice and Performance in Enhancing the Effectiveness of Teachers.

- 45.** Governments should:

- (a) guarantee adequate funding levels to ensure delivery of quality TVET programmes;
- (b) take measures to ensure that TVET and TVET occupations are accessible to all, especially those from disadvantaged, marginalized and vulnerable populations;
- (c) collect, analyse and disseminate data on TVET teachers and trainers;
- (d) ensure quality provision of TVET education through qualification standards, certification processes, valid assessment methods and acceptable outcomes.

- 46.** Social partners and stakeholders should:

- (a) enhance the status and prestige of TVET among the general public;
- (b) initiate TVET policy design and delivery through partnerships between governments, employers, industry, trade unions and society;
- (c) actively engage in effective social dialogue in order to promote decent work.

Assessment and evaluation of higher education personnel

Trends and issues

47. Recent years have seen a global expansion in the field of higher education. Students competing for jobs in the current and future job market has meant that a qualification in post-secondary or higher education is now the minimum entry requirement for employment. Additionally, student mobility and mass migration have contributed to the globalization of higher education. The increase in demand for access has driven a corresponding increase in the number of higher education institutions and providers of tertiary education, resulting in the “massification” of higher education. This has introduced questions about quality assurance of higher education programmes and the need for evaluating and assessing higher education teaching personnel (see also section on “20 years of the 1997 Recommendation: Assessment of trends and prospects for action”, below).
48. Where previously higher education quality was assessed on research output, the increase in demand for higher education provision and the expansion of higher education providers has resulted in a redefinition of higher education quality in terms of programme quality, instructional quality, and learning outcomes as indicators. The need for quality assurance at institutional and programme level has fuelled the expansion of accreditation agencies. The challenge is to develop teacher assessment and evaluation standards that are aligned with accreditation standards and falling within a harmonized quality assurance mechanism. Universities and institutions of higher education, however, have the right to institutional autonomy in programme design and faculty evaluation, and thus there is often resistance to assessment of higher education personnel from teacher unions.
49. As is the case for primary and secondary education, there is no universally accepted definition of good teaching in higher education. Research on teacher effectiveness is inconclusive, and the challenge remains on defining quality teaching in higher education and developing assessment mechanisms that are transparent, reliable, valid, and fair. Importantly, teacher evaluations in higher education, like in primary and secondary education, should focus on identifying professional development needs as a form of formative assessment aligned with pathways for career progression. With the continued increase of the globalization of higher education, the challenge will be to define an internationally accepted set of indicators of quality higher education teaching.
50. Recent years have also seen an increase in the casualization of teaching staff and higher education teaching personnel are increasingly employed on short-term contracts. There is a global increase in faculty that are adjunct, casual, contract, contingent, and non-tenured track. The challenge is to develop a systematic approach to recognizing and supporting this staff; however, there is no reliable data on the characteristics of these staff and what their development needs may be.
51. The massification of higher education has resulted in an increase in online learning (e-learning) and the rapidly expanding use of Massive Open Online Courses (MOOCs) and similar other open learning resources. This “digitalization” of education has meant that universities and institutions of higher education are financing online courses from third-party providers, and certificates from online providers are transferable towards a traditional university qualification. This introduces questions about quality assurance of online content as well as how to assess the quality of instruction in an online platform.

Recommendations

52. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:
- (a) engage in research and discussions to support the development of policies to facilitate the adoption of a consistent set of standards of effective teaching and quality assessment practices in higher education that are aligned and harmonized with institutional assurance mechanisms for assessment of higher education teachers with the aim to identifying needs for development of pedagogical competences;
 - (b) encourage member States and higher education institutions to develop policies and practices on transparency and fairness in the assessment and evaluation of higher education teaching personnel;
 - (c) mandate UNESCO and ILO to lead the work on developing an internationally accepted framework for defining and assessing effective teaching and to support national government and to collect data in order to better understand and monitor the circumstances of casual staff;
 - (d) invest in different methods of higher education teacher assessment that do not depend on student examination results, for example, using multiple assessment methods that include peer, auto, and student evaluations or a portfolio of work;
 - (e) engage in more research and policy dialogue to better understand the effectiveness of online learning, define and operationalize effective online teaching and identify the competences and skills of quality online teaching.

Privatization and education: For-profit low fee private schools in low-income countries

Trends and issues

53. As part of the larger trends of privatization, for-profit low-fee private schools are increasing globally, especially in lower-middle income countries. This increase occurs for several reasons. Among these are a weakened and under-resourced public system, demands for a wider range of educational programmes and services, and the perception among parents and the public that low-fee private schools provide higher quality education as compared to the public system. In addition to the growth of low-fee private schools, there are also public schools that operate according to market principles, as in the case of public-private partnership schools, thus blurring the boundary between public and private.
54. Despite parental perceptions of higher quality within the private system, there is inconclusive evidence that students in low fee private schools have better learning outcomes than those in public schools, once differences in family socio-economic background are considered. Low fee private schools have grown due to their potential profitability, which is often secured through the minimizing of costs, including teacher salaries, educational materials, and infrastructure. Teachers in low fee private schools tend to have lower salaries, lack job security, and have limited opportunities for collective organising, all of which contribute to high turnover rates in the sector. These teachers may not be qualified or adequately prepared for the profession. In addition, in some contexts, their work is not adequately covered by state regulations concerning teachers, teaching and the education sector.

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55. Education is both a human right and a public good. The state has the responsibility to invest in and support the public system to ensure fair and equitable access to quality education for all. The private sector, in turn, should complement the public system, rather than act as its competitor. For these principles to be effective, the state must include all schools within its regulations, including those that are privately owned and managed, by setting out a common framework of learning outcomes and assessment criteria, as well as by establishing preparation and qualification requirements for teaching. Furthermore, to ensure the provision of quality education, teachers in low fee private schools need to be provided with decent working conditions and opportunities to engage in social dialogue.

Recommendations

56. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:
- (a) urge member States to promote the implementation of both the 1966 and 1997 Recommendations concerning the Status of Teachers and the recommendations of the CEART reports among stakeholders engaged in providing low-fee private education;
 - (b) undertake case studies on low-fee private schools' business models to understand nuances, draw out best practices if any, and provide stronger evidence-based critique;
 - (c) conduct surveys in different national or regional contexts to gauge government responses, including views and actions, to critical issues in low-fee private schools.
57. Governments should:
- (a) guarantee the provision of quality, inclusive and equitable education by developing a common set of teaching competences, applicable to all teaching staff including those working in for-profit schools;
 - (b) strengthen the budgetary allocation for education in order to support teaching conditions in public schools;
 - (c) enhance regulation and institutional oversight mechanisms to ensure that a common set of teaching competences is observed and implemented across the board;
 - (d) ensure that the minimum working conditions enshrined in various national legislations are observed by all education providers;
 - (e) develop a common framework of learning requirements and monitoring that is respected and implemented in teaching, regardless of the school system.
58. Social partners and stakeholders should: explore new ways through social dialogue which enable the right of teachers to be organized, acknowledged and respected by private education providers.

20 years of the 1997 Recommendation: Assessment of trends and prospects for action

Trends and issues

59. Over the last 20 years, massification has been one of the major trends transforming higher education. Greater access to higher education facilitated through massification has produced social and economic benefits, and has contributed to the overall improvement of people's

lives. However, to keep pace with the growing demand for higher education, universities have utilized temporary, short-term and part-time teaching personnel, who are employed under terms and conditions contrary to the 1997 UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel. Teaching personnel employed through these contracts are often not adequately trained and qualified, with implications for the quality of education. The increasing presence of short-term, temporary contracts has also impacted unionization and organizing (see also section on “Assessment and evaluation of higher education personnel”, above).

- 60.** While student enrolments have been increasing, public funding for higher education has been decreasing, with universities compelled to secure alternative funding sources, including through tuition fees and partnerships with the private sector. Some funding formulas have produced increased competition for students, which has resulted in the lowering of admission standards. Changes in public institutions have occurred alongside the rise of privately-owned institutions, which in some cases operate outside the established education standards. Due to lack of quality controls, privately-owned institutions tend to admit students with lower qualifications, and have employed teaching personnel under poor working conditions with no job security.
- 61.** Criteria for evaluation and assessment of teachers has also changed, the results of which have been an inordinate emphasis on research activities in the sciences where there is greater research, development of patents and potential for private sector collaboration. This trend has also contributed to the devaluing of the humanities and social sciences. Universities have become subject to regimes of ranking that have impacted not only on the quality and the nature of research conducted but also on the value attached to teaching. Research and teaching should be valued equally.
- 62.** During the last two decades, the presence of women has increased in both the student body and in academic positions. Nonetheless, women continue to be over-represented in temporary, short-term contracts, and face obstacles in being appointed to senior administrative positions which is in some cases due to outside political interference. More broadly, institutional autonomy has been compromised by standardization processes enacted by governments and accreditation bodies, impacting innovation, creativity, and academic freedom.
- 63.** This period has also seen the increase of virtual universities and the use of digital technologies in the classroom. However, these transformations have not been accompanied by the development of quality oversight of virtual universities or the adequate training of teaching personnel in the use of these technologies. Online education must adopt pedagogical approaches and techniques that include collaboration, critical thinking, problem solving, and innovation.

Recommendations

- 64.** The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:
 - (a) urge member States to regularly and adequately monitor the implementation of the 1997 UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel, and to report on the status of the Recommendation to the respective bodies of ILO and UNESCO in their territories;
 - (b) undertake and disseminate research on: terms and conditions of employment in privately-owned institutions; and pedagogical and professional development of teaching personnel in different institutional and national contexts.

65. Governments should:

- (a) ensure adequate funding for higher education;
- (b) develop and implement more inclusive mechanisms for appointments to senior management positions, free from any form of discrimination;
- (c) develop and exercise adequate oversight of public and private tertiary education providers regarding standards of education and terms and conditions of higher education teaching personnel;
- (d) ensure a greater balance between institutional autonomy and standardization.

66. Higher education institutions should:

- (a) maintain a higher proportion of tenure, permanent or long-term appointments;
- (b) provide more opportunities for higher education teaching personnel to develop their professional skills, including ICT, pedagogy, and educational management;
- (c) develop more balanced criteria for the assessment and evaluation of teaching personnel based on multi-source inputs, including self-assessment, student evaluations, and peer evaluations;
- (d) develop and implement more inclusive mechanisms for appointments to senior management positions, free from any form of discrimination.

Financing for education

Trends and issues

- 67.** In a context of important financial constraints, a central question relates to how education can be positioned as a priority in national budgets. Directly linked to that is the principle set out by Paragraph 10(l) of the 1966 Recommendation: “as the achievement of the aims and objectives of education largely depends on the financial means made available to it, high priority should be given, in all countries, to setting aside, within the national budgets, an adequate proportion of the national income for the development of education”.
- 68.** The discourse suggesting that allocation to education could be taken from what is disbursed to other fields such as health or water does not offer a relevant and sustainable option for financing education. Such allocation transfers would be at the expense of other important priorities and have an adverse impact on education. Instead, attention should be placed on the benefits of education by making the case that education is a profitable investment and that it contributes to economic development. Financing education has the potential of reducing social costs and increasing social well-being, but also of reducing the prevalence of conflicts, maternal deaths, and early marriages.
- 69.** Financial resources are not necessarily spent adequately thereby drastically reducing the share of resources that are effectively spent on education. Addressing the challenges of education financing implies further examining cost-efficient ways to reach universal education, while delivering good quality teaching and supporting the teaching workforce. More research should be carried out to explore specific dimensions of cost-efficient measures for education and global funding, and identify areas to address research gaps. Making the outcomes of the research available to governments and education stakeholders will be of great use to make education a priority. It is also important that governments promote tax regimes that are fair and equitable.

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70. Furthermore, it appears crucial to look into both aspects of financing for education – quantitative and qualitative. Indeed, while it is essential that more teachers be recruited to address teacher shortages, this should not result in lower qualifications, poor training and working conditions, as this would directly impact negatively on the quality of education. For this purpose, mechanisms should be put in place to ensure the right balance between quality and quantity aspects.
 71. Acknowledging the situation of countries with limited financial capacities, relevant financial mechanisms could be envisaged to target specific groups of education, particularly out-of-school children and the most disadvantaged groups, and to give priority to specific levels of education. Drawing on evidence suggesting that investment in the early years can yield long-lasting benefits, this could be recognized as a priority area for education financing. Targeting the most disadvantaged groups, notably girls, children belonging to poor households and those traditionally left behind, could be strategic to ensure they have access to education from the earliest stages, where the benefits of education are the strongest, along with increasing their chances to remain in school. Dedicating more resources to teachers working with those underprivileged groups is essential, in this context. Given that research is also suggesting that providing education in the mother tongue in the earliest years has an important impact on learning outcomes, this could also be set as a priority area for education financing.
 72. Across the world, a number of challenges appear in relation to families' perception of the benefits or necessity of education, particularly in underprivileged areas. They may not feel that education is the right investment for their children, or simply not have the financial capacity to cover these expenses. To specifically address this challenge, it is essential to advocate further to governments and policy-makers to strongly contribute to raise public discussions concerning the role and priority given to education.
 73. Recent studies have shown a decrease in education financing. This current state has to be reversed to ensure that quality education for all can be achieved.
 74. Opportunities for supporting those countries that are most in need of financial support should be strengthened. The current situation however shows that the share of international development aid dedicated to education is declining. Global benefits could be obtained from rich countries to support the financial needs of countries in need, as many contexts (conflict, unrest etc.) are also global issues. It could be seen as a global responsibility of all states to contribute to supporting poor and conflict-affected countries. Nevertheless, experience has shown that when financial support to countries does not necessarily translate into national capacity building, it does not offer sustainable solutions to the education financing challenges of those countries. Therefore, international development aid has to maintain the responsibility for governments to do their utmost to allocate sufficient national resources to education.
 75. In the discussion on financing for education, the role of appropriate private sector institutions should be recognized. If adequately regulated and monitored, investments from the private sector can contribute to ensure a skilled workforce. Donors and philanthropists could be encouraged to provide more resources to education. Mechanisms, such as an international platform for pooling resources, could be a way of securing funding for education.
 76. Further possible avenues of financing education could be provided on a regional or sub-regional level. This could offer valuable opportunities to address similar challenges faced by countries and to explore common strategies to invest more and better in the education workforce through existing regional or sub-regional initiatives.

Recommendations

77. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage ILO, UNESCO, member States, higher education institutions, and other relevant organizations to:

- (a) conduct research on the most effective and cost-efficient ways of financing education, especially in such priority education areas as early childhood education and teacher education and training so as to bridge the gap between relevant research, decision-making and practice in different national and regional contexts;
- (b) promote the establishment of a global fund for financing education. The global fund could be financed for example through an “education tax”, similar to the “airline ticket tax” of UNITAID, and complemented by contributions of bilateral donors, philanthropists, and charitable organizations in order to support the development of priority education areas.

78. Governments should:

- (a) consider other innovative financing mechanisms to fund education;
- (b) be more aware of the benefits of increasing budget allocation to education on other sectors;
- (c) strongly encourage appropriate private sector institutions through social dialogue to contribute to the financing of education especially early childhood education;
- (d) intensify the fight against corruption and ensure transparency and accountability in the disbursement of resources to education through adequate laws;
- (e) develop fair and equitable tax regimes to finance education.

79. Social partners and stakeholders should:

Promote public discussions on the importance of education and what countries stand to lose from not investing in education. Public discussion on the importance of education to growth and development is central in mobilizing financial support especially from elected officials to spend more on education.

Fifty years CEART: CEART, the Recommendations, SDG 4 and the road to Education 2030

80. On the occasion of its 50th anniversary in 2018, the Joint Committee adopted a Declaration entitled Education is not a commodity: Teachers, the right to education and the future of work, contained in Appendix III of this report.

II. Progress in promotion and use of the 1966 and the 1997 Recommendations

A. Allegations received since the Twelfth Session, 2015

Allegation received by the AIM89 Education Workers' Union of Japan

Background

81. This document treats an allegation submitted to the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (hereafter the Joint Committee) by the AIM89 Educational Workers' Union, an independent teachers' union founded in 1989 based in Tokyo. The initial allegation was received in August 2014. The Government responded to the allegation in March 2015; several further rounds of information were shared and a final government observation was received in September 2016.

Substance of the allegation

82. The allegation filed by AIM89 centres on policies which require teachers to stand and sing the national anthem and salute the national flag. According to the union, curriculum guidelines adopted in 1989 required teachers to instruct the national flag and national anthem to students. The Act on National Flag and Anthem (1999) established the rising-sun Hinomaru flag as the national flag, and the Kimigayo song as the national anthem of Japan, and the hoisting of the flag and singing of the national anthem became standard across school ceremonies. Nonetheless, the Government had not obliged individuals to stand up or sing during these ceremonies.

83. In 2003, the Metropolitan Government of Tokyo issued Directive 10.23 which required teachers and staff in schools to stand up and face the flag and sing the Kimigayo anthem. According to the union, as many as 463 teachers and staff have been punished for failing to stand or sing during such ceremonies, with punishments ranging from formal warnings, salary cuts, and suspension from office to mandatory training, negative performance appraisals, and delayed promotions. Some teachers were not rehired to fill vacancies after retirement, as was a common practice, due to refusal to stand or sing. In some cases, when one teacher was punished, all teachers of the school were required to undergo remedial training.

84. According to the union, such policies violated teachers' freedom of thought and conscience. For some teachers, the flag and anthem were symbols of Japanese militarism.

85. Moreover, such requirements made it difficult for teachers to assist students with disabilities during such ceremonies. The union provided details of four cases of teachers who were punished under the policy, including withholding of salary, suspension from teaching, forced training, and refusal to be rehired after retirement. Disparaging remarks about such teachers were allegedly made by the Tokyo Educational Board.

86. According to the union, the requirements for standing and singing violated a number of provisions of the 1966 ILO–UNESCO Recommendation concerning the Status of Teachers in regard to academic freedom, exercise of civic rights, non-discrimination, professional standards, consultation with teacher organizations, disciplinary actions and salaries.

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87. Responding to the allegation, the Government of Japan underscored that while some provisions of the Recommendation did not conform to Japanese domestic legislation, the Government was doing its utmost to give effect to the spirit of the Recommendation. According to the Government, the curriculum was based on the provisions of the School Education Act and the Ordinance for Enforcement of the School Education Act. Each school was responsible to provide guidance to pupils about the national flag and national anthem. A Supreme Court decision of 6 June 2011 found that a work order to stand and sing during the ceremonies was not a violation of article 19 of the Constitution of Japan regarding freedom of thought and conscience. The same court decision had also found that requirements to stand for the flag and sing the anthem should be considered as related to customary or ritualistic actions which had no direct political meaning.
 88. With regard to the claim that the Government had broken a promise not to coerce or oblige respect for the national anthem and flag, the Government responded that such a commitment applied to the private individuals, but not to teachers exercising their duties.
 89. Concerning the allegation that ceremonies were disadvantageous to students with disabilities, the Government points out that the Tokyo Metropolitan Board of Education had given instructions to take into account students' needs at schools for special needs education.
 90. With regard to disciplinary actions taken against teachers, the Government points to a 16 January 2012 Supreme Court decision which allowed for discretion on which measures to take, including salary reductions. The Government further maintains that, according to a decision of 19 July 2007 by the Tokyo District Court, "training to prevent recurrence of problems" for failing to stand or sing did not infringe on freedom of thought or conscience. If a teacher did not respect such obligations, this could lead to a loss of trust in teachers and damage the school's trust and overall education.
 91. Regarding discrimination in the re-appointment of retired teachers, the Government indicates that re-appointment was carried out based on test results and work performance, and that it had confidence in authorities making re-appointment decisions.
 92. In further submissions to the Joint Committee, the union provided further arguments as to why the obligatory standing and singing were illegal under Japanese law, and provided further examples of teachers who were punished for disobeying the work order and of special needs children who suffered due to the order. In its final submission, the Government reiterated that such work orders had been upheld by the Japanese Supreme Court. It noted that in 2015 the Tokyo High Court, while upholding that singing and standing were not a violation of article 19 of the Japanese Constitution, had overturned the suspension from office of teachers in certain cases.

Findings

93. The Joint Committee notes that there are few disagreements of fact in the representations made by both the union and the Government. Most of the disagreement between the union and the Government concerns the legality of the matter at hand in Japanese law, which the Joint Committee is not competent to determine. The Joint Committee can consider how the facts at hand relate to principles of the 1966 Recommendation. In this regard it considers that there are two major issues arising from this allegation.

Civic rights of teachers

94. Paragraph 80 of the 1966 Recommendation underscores that teachers "should be free to exercise all civic rights generally enjoyed by citizens ...".

95. The Joint Committee notes that the Universal Declaration of Human Rights, which is cited in the preamble of the 1966 Recommendation, holds that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers” (Article 19). The International Covenant on Civil and Political Rights, adopted in 1966, further defines this right, adding that:

The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

The Joint Committee further notes that the Article 9 of the Labour Relations (Public Service) Convention, 1978 (No. 151) provides that “Public employees shall have, as other workers, the civil and political rights which are essential for the normal exercise of freedom of association, subject only to the obligations arising from their status and the nature of their functions.” As the ILO General Survey concerning labour relations and collective bargaining in the public service (2013) pointed out, this provision of Convention No. 151 was based on an understanding set out in the ILO Resolution of 1970 concerning trade union rights and their relation to civil liberties, which noted that:

[the] General Conference of the International Labour Organization ... [p]laces special emphasis on the following civil liberties, as defined in the Universal Declaration of Human Rights, which are essential for the normal exercise of trade union rights: (a) the right to freedom and security of person and freedom from arbitrary arrest and detention; (b) freedom of opinion and expression and in particular freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers; (c) freedom of assembly; (d) the right to a fair trial by an independent and impartial tribunal; (e) the right to protection of the property of trade union organizations.

96. The General Survey also notes that since the adoption of this Resolution, the Committee of Experts, the Conference Committee on the Application of Standards and the Committee on Freedom of Association have systematically called attention to the interdependence of civil liberties and trade union rights, emphasizing that a truly free and independent trade union movement can only develop in a climate free from violence, pressure and threats of any kind against the leaders and members of such organizations and that trade unions often become the catalyst for broader democratic developments, particularly in situations where the law prohibits democratic and pluralistic alternative voices in the political sphere.¹

97. Drawing on this observation, the ILO’s Committee of Experts on the Application of Conventions and Recommendations held that “subject only to the obligations arising from the status of public employees and the nature of their functions, which covers notably the question of the obligation to observe confidentiality and the duty to act in good faith incumbent upon public employees, human rights are applicable to public employees in the same way as they are to all other citizens”.²

98. The Joint Committee therefore considers that the “civic rights” set out in Paragraph 80 of the 1966 Recommendation can be understood within the framework of the principles set out

¹ ILO, General Survey concerning labour relations and collective bargaining in the public service, 2013, para. 80, p. 21.

² *ibid.*, para 81, p. 21.

in Convention No. 151 and other human rights instruments. The Joint Committee therefore considers that teachers have the general right to disagree with rituals of the flag ceremony, to express opinions against it and to participate in efforts to change it, as long as such actions are in line with the duty to act in good faith incumbent upon public employees.

99. The Joint Committee also notes that Paragraph 72 of the Recommendation sets out that “Teachers and teachers’ organizations should seek to co-operate fully with authorities in the interests of pupils, of the education service and of society in general.”
100. The specific question, then, is to what degree is the very particular act of refusing to stand or sing during a patriotic ceremony a right covered by the general civil rights enjoyed by public employees, or a derogation of good faith or of the duty to cooperate fully with authorities in the interests of pupils, of the education service and of society in general.
101. There is no doubt that a school ceremony within a school setting is a workplace in which the teacher is in exercise of official duties, and such duties should be carried out in the spirit of good faith and cooperation. In an educational setting, where an environment of cooperation is essential for the maintenance of authority and discipline, disruptive protests by teachers against school policy in front of students or parents should be avoided. For this reason, for example, the Joint Committee has held that teachers should be able to critically engage with an official curriculum text in a classroom, but not disparage it openly as false in a school setting. In democratic systems, which is the case of Japan, there are appropriate channels for voicing disagreement with educational policy without bringing such conflict into the classroom.
102. The Joint Committee notes that the singing of the national anthem and the standing for the flag in the schools began two decades or so, in a gradual way.
103. The specific act of singing and standing raises similar nuanced issues. Singing and standing to a song or a ceremony can be a deeply personal act; it can signify acceptance of an idea or political concept which can be repositied in a flag or song. Refusing to do so can be viewed as an act of non-disruptive disobedience if such actions are required by rules, but rules enforcing such acts can be seen as an encroachment on personal values and opinions.
104. The Joint Committee is also of the view that patriotic acts and gestures can bring a positive element into an education setting. These elements are especially positive if they are done voluntarily. In a democratic society, the very existence of dissenting gestures can be the proof that patriotic acts are done out of conviction rather than coercion, and therefore all the more meaningful.
105. In light of this, the Joint Committee is of the view that quiet refusal to stand or sing is within an individual teacher’s right to preserve a personal sphere of civil rights, even in a workplace setting. The Joint Committee further holds that, within a democratic context, any acts of refusal that are overtly disruptive would not be aligned with the duty to cooperate in good faith as set out in the Recommendation. The Committee therefore recommends exploring solutions which allow patriotic ceremonies to go forth undisrupted, but which can accommodate teachers who do not feel comfortable in participating in particular gestures of compliance.

Disciplinary measures against teachers

106. Paragraph 47 of the Recommendation sets out that:

Disciplinary measures applicable to teachers guilty of breaches of professional conduct should be clearly defined. The proceedings and any resulting action should only be made public

if the teacher so requests, except where prohibition from teaching is involved or the protection or well-being of the pupils so requires.

107. The Recommendation further suggests that: “Professional standards relating to teacher performance should be defined and maintained with the participation of the teachers’ organizations” (Paragraph 71). Furthermore, “Authorities should recognize that effectiveness of disciplinary safeguards as well as discipline itself would be greatly enhanced if the teachers were judged with the participation of peers.” (Paragraph 51).

108. From the submission of both parties in this case, it does not appear that professional standards regarding conduct during patriotic ceremonies have been set out in codified form, nor does it seem that teacher organizations were involved in the development of such professional standards. Disciplinary measures do not appear to have been carried out with the involvement of peers. As in other cases, the Joint Committee reiterates the principles set out in Paragraph 51 of the Recommendation.

Further considerations

109. While the Government asserts that requirements to stand or sing take into account students’ special needs and can be adapted, the union provides examples of where children with disabilities have suffered due to the inability of personnel to tend to them during patriotic ceremonies. The Government maintains that appropriate guidance on this matter exists, but does not rebut claims that individual incidents of detriment to students took place. The Joint Committee notes with concern that if indeed all teachers and students are required to stand during patriotic ceremonies, certain situations can arise which might create difficulties for teachers and students with disabilities.

Recommendations

110. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Japan to:

- (a) convene dialogue with teacher organizations concerning rules regarding patriotic ceremonies, with the aim of agreeing on teachers’ duties in respect to such ceremonies and which can accommodate teachers who do not wish to participate in the raising of the flag and singing of the national anthem;
- (b) convene dialogue with teacher’s organizations about disciplinary mechanisms with the aim of avoiding punishments for passive, non-disruptive acts of non-compliance;
- (c) consider involving peer teachers in disciplinary review bodies;
- (d) review and change policy and practice on in-service teacher training to ensure that its aim remains the professional development of teachers, and is not used as an instrument of discipline or punishment;
- (e) review requirements in respect of patriotic ceremonies in light of the needs of students and teachers with disabilities, and those working with students with disabilities;
- (f) keep the Joint Committee informed of efforts on the above recommendations.

Allegation received by the Nakama Teachers' Union, Japan

Background

- 111.** The allegation set out below is presented as a follow-up to the communications received since 2003 from the All Japan Teachers and Staff Union (ZENKYO) and the Nakama Teachers' Union and the Government of Japan. Details of this allegation were considered by the Joint Committee at its Eighth, Ninth, and Tenth Sessions (2003, 2006, 2009) and in its interim reports of 2005, 2008 and 2011. Subsequently, the Joint Committee requested further updates from both parties. Because no further information was provided from either party, the Joint Committee decided to close this case at its 12th Session in 2015.³
- 112.** In a new communication submitted in March 2016, the Nakama Union provided information to the Joint Committee in which it asserted continuing practices which are not in line with the principles set out in the 1966 Recommendation, as well as a lack of willingness from the Japanese authorities to give effect to the Joint Committee's recommendations. The Government of Japan responded to this allegation in August 2017; final comments were received from the union in October 2017 and from the Government in April 2018.

Substance of the allegation

- 113.** Matters brought to the attention of the Joint Committee in this allegation relate to four core issues:
- (a) the effect given to the Joint Committee's recommendations and the position of local authorities in Osaka regarding consultation and negotiation with the unions;
 - (b) the evaluation system in the Osaka Prefectural Board of Education district;
 - (c) the role granted to teachers in the selection of textbooks;
 - (d) the measures, including disciplinary action, taken further to the refusal of teachers to follow instructions for standing and singing (flag and anthem).
- 114.** According to the union, the Japanese authorities in Osaka are not applying a number of provisions of the 1966 ILO–UNESCO Recommendation concerning the Status of Teachers in regard to consultation and negotiation with teachers' organizations, performance evaluation, participation in educational decision-making, and disciplinary action.

Effect given to the Joint Committee's recommendations and the position of local authorities regarding consultation and negotiation with the unions

- 115.** In essence, the union accuses the authorities in Osaka of refusing to apply the recommendations of the Joint Committee from the 2009 and 2011 reports concerning the need to engage in negotiations and consultations with teachers' organizations on specific matters. The union further claims that the local authorities in Osaka did not disclose all the documentation relating to the Joint Committee, including translations of reports. The Osaka Prefectural Board of Education allegedly voiced their intention not to give effect to a number of recommendations made by the Joint Committee in its previous reports.

³ Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, Final report of the 12th Session, 2015, para. 122.

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116. Responding to the allegation, the Government of Japan pointed out that, in line with the Local Public Service Act, a range of administrative matters were not subject of negotiation. Furthermore, relevant guidelines were followed, as well as regulations on the management of documentation.
117. Another contentious point between both parties concerns a meeting allegedly held between local authorities and the Ministry of Education, where copies of the Joint Committee's report in Japanese would have been distributed. The Ministry of Education, Culture, Sports, Science and Technology (MEXT) objects that this information is not correct and that the meeting did not take place. No information was provided by the Government on occasions where the Joint Committee's recommendations would have been discussed with the union, and whether the translation in Japanese of the Joint Committee's report was shared.

Evaluation system in the Osaka Prefectural Board of Education district

118. According to the union, a request was presented to the Osaka Prefectural Board of Education to prepare a survey to teachers regarding evaluation, but was denied on the basis that it fell outside of the scope of negotiation and consultation. Likewise, social dialogue was reported not to be possible with regard to the involvement of peer teachers in evaluation panels and the recent introduction of a performance-based salary system. The union claims that this situation deviates from principles set out by the 1966 Recommendation.
119. The Government of Japan cites a recent amendment brought to the Local Education Service Act, which requires that local governments carry out evaluations of all local public servants, including teachers. The Government maintains that local governments follow the law and relevant regulations and ensure fair treatment in the evaluation procedures.

Role granted to teachers in the selection of textbooks

120. The Nakama Union alleges that the role of teachers in the selection of textbooks is not properly recognized. Their views are regarded as informative and granted the same value as the ones of school principals and parents, with disregard for their expertise as teachers. The final decision on the selection of textbooks is taken by educational boards and political considerations allegedly come into play. The union therefore considers that principles laid down by the 1966 Recommendation are not being complied with. The union also regrets that this matter is not open to consultation or negotiation.
121. In response, the Government of Japan points out that teachers' input is taken into consideration as they are part of the group of researchers – comprising teachers, school principals, parents and guardians – that inform decisions of the educational boards on the selection of textbooks. The Government argues that within this setting teachers can play “relatively significant roles”. With regard to the alleged lack of social dialogue on this issue, the Government indicates that domestic laws do not allow for negotiation when administrative matters are concerned.

Measures, including disciplinary action, taken further to the refusal of teachers to follow instructions for standing and singing

122. The Nakama Union alleges that disciplinary measures were taken against teachers who decided not to stand and sing the national anthem. The Union also reports on the lack of protection for teachers facing disciplinary action, alongside a lack of transparency in the procedure, in breach of the principles laid down by the 1966 Recommendation. Furthermore, the union claims that an additional sanction is imposed on the concerned teachers through

the decision not to reappoint them after retirement age, contrary to usual practice and without a valid justification.

123. The Government of Japan rejects those claims and asserts that teachers have to follow official instructions from their hierarchy during school ceremonies. Within this context, school principals take the appropriate steps to ensure that school ceremonies run smoothly. According to the Government, disciplinary action is carried out in line with the relevant guidelines. The Government also invokes the discretion of local authorities in deciding reappointments after retirement age.

Findings

124. The Joint Committee first notes that a significant number of issues brought to its attention in this allegation have already been considered in its previous reports. This applies to the need to engage in social dialogue with teachers' organizations on a range of issues, the evaluation system, the role granted to teachers in selection of textbooks, and the standing up and singing during school ceremonies.

Effect given to the Joint Committee's recommendations and the position of local authorities regarding consultation and negotiation with the unions

125. On this matter, the Joint Committee notes that there are several disagreements of fact in the representations made by both the union and the Government, notably on whether some meetings took place and the content of the information provided at such occasions. Based on the contradictory views exchanged, the Joint Committee is not in a position to determine precisely the facts on this specific issue.
126. However, the Joint Committee notes the long-standing position of the national authorities considering that the 1966 Recommendation "... contains some things that do not necessarily suit the Japanese domestic legislation and current situation ...". While being a non-binding standard-setting instrument, the 1966 Recommendation nevertheless holds a significant moral force. It forms an integral part of the ILO and UNESCO's legal standards, and member States are expected do their utmost to fully implement the Recommendation. Since the Government of Japan indicated that they are "conducting government activities by paying the maximum respect to the spirit of the Recommendation, within the scope of domestic legislation", the Joint Committee recommends to seize this opportunity to better inform the unions of the content of such activities and to engage further in social dialogue in a spirit of cooperation.
127. Another recurrent issue is the lack of negotiation or consultation on a number of matters that are considered to be "administrative matters" – and therefore not open to social dialogue. The Joint Committee has extensively discussed this issue, particularly in its 2003 report and in its 2008 interim report, further to the fact-finding mission, in which it states: "While the outcomes of merit assessment systems affecting teachers' salaries and other employment terms clearly fall within the framework of matters which may be subject to negotiation, the Joint Committee notes a continuing and significant divide between the parties on matters regarded as management issues outside the scope of consultation with teachers' unions, on the one hand, and questions of conditions of employment that might be the subject of negotiation under the 1966 Recommendation, on the other".⁴ In 2011, the Joint Committee had recommended that "... the Government, both at ministry level and prefecture boards,

⁴ Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, *Interim Report*, 2008, para. 30.

should reconsider their approach to consultation and, as appropriate to the issues in question, negotiation with teachers' organizations in line with the provisions of the 1966 Recommendation".⁵ The Joint Committee believes that such recommendations, directly related to Paragraph 44 of the 1966 Recommendation, are still valid and applicable.

Evaluation system in the Osaka Prefectural Board of Education district

- 128.** Both the Government of Japan and the union have cited provisions of the national legislation, including the Local Public Service Act. It is not the role of the Joint Committee to interpret national legislation on this issue. However, the Joint Committee is responsible for monitoring the application of the 1966 Recommendation which clearly provides that the Government and unions should engage in negotiation and consultation on a number of issues. The Joint Committee recalls the observation made in its previous report that "Consultations on teacher assessment criteria, the procedures for assessment, guarantees of due process for individual teachers and the operation of merit or performance appraisal systems should be the object of good faith consultations."⁶
- 129.** Noting that in 2011 "... ZENKYO and the JIU [had] reported that the Government of Japan [was] committed to reviewing the principles and institutions governing labour-management relations in the national public service",⁷ the Joint Committee expresses appreciation for the information provided by the Government on the recent amendments to the Local Public Service Act in April 2016. However, the Joint Committee would have welcomed information on whether efforts were made to engage in effective social dialogue in the context of this legislative reform. The Joint Committee encourages the Government to seize the opportunity of future legislative or policy reforms to foster social dialogue and to involve teachers' organizations.
- 130.** Moreover, the Joint Committee notes that the preamble of the Recommendation recognized "the diversity of the arrangements which in different countries apply to teaching staff, in particular according to whether the regulations concerning public service apply to them". At the same time, the Recommendation states that "Teaching should be regarded as a profession: it is a form of public service which requires of teachers expert knowledge and specialized skills, acquired and maintained through rigorous and continuing study; it calls also for a sense of personal and corporate responsibility ..." (Paragraph 6). The Joint Committee is therefore of the view that while teachers can be subject to laws and regulations governing the public service, such texts should provide for the recognition of their professional status as teachers.

Role granted to teachers in the selection of textbooks

- 131.** The information supplied by both parties indicates that they agree on the fact that teachers' contribution is limited to participation in the advisory, alongside school principals, parents and guardians, and that the decision on the selection of textbooks is made by the educational boards.

⁵ *ibid.*, para. 40.

⁶ Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, *Interim Report*, 2008, para. 40.

⁷ Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, *Interim Report*, 2011, para. 16.

132. Paragraph 61 of the Recommendation sets out:

The teaching profession should enjoy academic freedom in the discharge of professional duties. Since teachers are *particularly qualified* to judge the teaching aids and methods most suitable for their pupils, they should be given *the essential role* in the choice and the adaptation of teaching material, the selection of textbooks ... within the framework of approved programmes, and *with the assistance* of the educational authorities. (emphasis added)

133. Paragraph 62 further provides that “Teachers and their organizations should participate in the development of ... textbooks ...”.

134. The major issue at hand is to determine whether teachers are effectively granted an “essential role”. On the basis of the elements brought to the attention of the Joint Committee, it does not appear that the current situation meets the principles provided in Paragraphs 61 and 62 of the Recommendation. The role, qualifications and expertise of teachers should be duly and effectively recognized, and this, beyond the preparatory research stage. This should take the form of a substantive participation throughout the selection process and in decision-making. The role of educational authorities is to provide adequate assistance within this framework.

135. In that respect, the Joint Committee also wishes to recall a previous recommendation made in 2015 (Tokyo-to-Gakko Union of Japan allegation) directed to the Government of Japan and local authorities:

... review policy and practice on how teachers are included in the selection of teaching materials and textbooks. Such policy and practice should allow both teachers and representatives of teachers’ organizations to participate. Selection criteria and practices for involving teachers should be fair and transparent to ensure a diversity of views in the development of teaching materials” (recommendation (b), paragraph 102 of the report of the Joint Committee).

Measures, including disciplinary action, taken further to the refusal of teachers to follow instructions for standing and singing

136. The Joint Committee considers that the issues at stake are largely covered in the AIM89 allegation examined earlier in this report. Since the Nakama Union does not raise new issues, the Joint Committee considers there is no need to re-examine this matter in substance and that the key principles that emerged from the AIM89 case are also applicable to this allegation. The Joint Committee therefore reiterates its observations and recommendations.

Recommendations

137. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Japan to:

- (a) share appropriate guidance with local authorities to ensure that the principles of the Recommendation are applied and promoted;
- (b) give further consideration to the previous recommendations made by the Joint Committee on the long-lasting issue of consultation and negotiation with teachers’ organizations;
- (c) consider the importance of information sharing relating to the recommendations of the Joint Committee, including sharing with teachers and their organizations the translation

of the report in Japanese, when available, as it could serve as a useful basis for social dialogue;

- (d) review policy and practice on the selection of textbooks to ensure that teachers are granted an essential role in the decision-making and that such processes are agreed upon with teachers' organizations to ensure fairness and transparency;
- (e) convene dialogue with teacher organizations concerning rules regarding patriotic ceremonies, with the aim of agreeing on teachers' duties in respect to such ceremonies and which can accommodate teachers who do not wish to participate in the raising of the flag and singing of the national anthem;
- (f) convene dialogue with teacher's organizations about disciplinary mechanisms with the aim of avoiding punishments for passive, non-disruptive acts of non-compliance;
- (g) consider involving peer teachers in disciplinary review bodies;
- (h) review and change policy and practice on in-service teacher training to ensure that its aim remains the professional development of teachers, and is not used as an instrument of discipline or punishment;
- (i) keep the Joint Committee informed of efforts on the above recommendations.

Allegation received by the Osaka-fu Special English Teachers' Union (OFSET), Japan

Background

138. On 11 July 2014, the Joint Committee received an allegation from the Osaka-fu Special English Teachers' Union (hereafter OFSET) concerning the non-application of the 1966 Recommendation on the Status of Teachers by the Government of Japan, in relation to the status and employment conditions of the Native English Teachers (NETs). Additional information was provided by the union on 3 December 2014.

139. As per the Joint Committee's procedures, the allegation was transmitted to the Government of Japan. In response, the Government submitted on 26 August 2016 consolidated observations containing both the Government's views and the Osaka Board of Education's specific comments. Further comments were sent by the union in a letter dated 3 January 2017, to which the Government provided final observations on 23 August 2017.

Substance of the allegation

140. The communications from OFSET and the Government of Japan cover a number of topics, which can be grouped into three core issues:

- (a) the applicability of the *teacher* status to the NETs, and subsequently their coverage by the scope of the Recommendation;
- (b) the accreditation and remuneration of the NETs positions;
- (c) related issues, including working time, social protection, performance evaluation and disciplinary action.

141. These three issues will be examined successively, noting that the first two are the main focus of the arguments exchanged by the parties in their communications.

Status of NETs and scope of definition of teachers under the Recommendation

142. In its initial allegation, OFSET assumes that NETs are to be considered as teachers and that the provisions of the 1966 Recommendation are fully applicable to them. Overall, the union considers that there are wide discrepancies between the status of NETs and those of comparable teachers, which violate a number of provisions of the 1966 Recommendation.
143. In further arguments, OFSET lists five main reasons supporting the view that NETs are responsible for education, in the meaning of the 1966 Recommendation:
- (a) NETs are expected to dedicate 18 hours a week for teaching, and to be involved in preparations;
 - (b) NETs are involved in grading and evaluating essays;
 - (c) NETs are requested to grade, or sometimes even create, exams;
 - (d) NETs are expected to stay in constant digital contact with the students, including outside the classroom and outside working hours;
 - (e) schools advertise the number of NETs as an argument to attract students.
144. In its response, the Government of Japan challenges this view and states that the NET personnel hold neither the status of teachers nor of instructors. In the eyes of the Government, their duty is to assist teachers in charge of delivering education, which does not make them responsible for the education of pupils. The Government further holds that the tasks listed by the union are not performed by the NETs, but by other staff. The Government reaches the conclusion that the NET personnel falls outside of the scope of the 1966 Recommendation.

Accreditation and remuneration aspects of the NET positions

145. From the core issue of the status of NETs derive two other substantive allegations from the union regarding the absence of measures to recognize the accreditation of teachers and to ensure adequate remuneration.
146. First, according to the union, the authorities failed to establish a system recognizing the teaching credentials of NETs acquired abroad and granting them a professional status; to put in place a system of promotion through the assignment of additional duties or responsibilities, and professional criteria to allow evaluation for promotion; and to grant corresponding allowances and salary raises to reward the practical training or experience gained by the NETs.
147. The response by the Government supplies general information on certification procedures under national law for those teachers completing their teacher training courses in Japan. No specific information was provided regarding the specific case of the NETs, whose specific position likely entails that they have not undertaken their initial teacher training in Japan.
148. Second, regarding the remuneration, the union claims that there has been no pay raise for more than twenty years, including no cost-of-living adjustments, and that despite negotiations, foreigners employed as NETs are the only teaching personnel not to be granted a pay rise. The union claims this situation is due to a differential treatment towards non-Japanese staff and also regrets the absence of pay scale to reflect merit and the lack of social dialogue.

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- 149.** The Government replies that the absence of a pay rise is not specific to NETs and that they remain better paid than the other temporary or part-time staff employed by the prefecture. Furthermore, employment conditions – such as pay rise, training opportunities – are shared prior recruitment and, therefore, candidates are aware of the terms of employment under which they are hired. According to the authorities, there is no differential treatment as the NET was conceived as an auxiliary programme of the Japanese Exchange and Teaching Programme (JET), under which the staff enjoys similar working conditions.
- 150.** On this very specific point, the union and the authorities exchanged opposing arguments. The union argues that while the JET and NET programmes were initially aligned they then diverged, with the JETs being granted scaled salary increases along with other benefits – unlike NETs, owing to the fact they are locally recruited. The union finally states that the Osaka Prefecture increasingly has replaced JETs with NETs due to the lower cost of the NET programme and taking advantage of the NETs’ teaching experience. In response, the Government restates that employment conditions are well known by the staff before recruitment. While asserting that JET and NET programmes offer similar working conditions, the local authorities in Osaka indicate that the JET is no longer used, due to need for a high degree of specialization in English and experience in teaching.

Related issues, including working time, social protection, performance evaluation and disciplinary action

- 151.** Apart from the issues of status, accreditation and remuneration, the union points out several instances of non-respect of the provisions of the 1966 Recommendation, as regards:
- (a) working hours;
 - (b) social protection;
 - (c) performance evaluation;
 - (d) measures to allow for participation in union’s activities.
- 152.** Firstly, the union alleges that the union was not consulted to determine working hours, and that in some instances NETs have had to work overtime – for preparations or other work-related activities outside the classroom – without being financially compensated, which is not in line with the provisions of the Recommendation.
- 153.** On this issue, the Government responds that employment conditions are made clearly known to the staff before recruitment, and therefore, that they are aware that preparations are part of their duties.
- 154.** Secondly, OFSET argues that social protection is limited for NETs in a number of aspects. This includes the lack of adequate maternity protection, resulting directly from the temporary nature of contracts, the absence of arrangements, including day care and assignment in a close-by school, for teachers having family responsibilities. The union also argues that NETs are not eligible for the pension scheme.
- 155.** In the Government’s views, these claims are not valid, as NETs are granted unpaid maternity leave, that the NETs should reside within commuting distance – as part of the employment conditions – and that they are eligible for the pension schemes.
- 156.** Thirdly, another point raised by the union concerns performance appraisals and disciplinary measures. According to OFSET, there is no system of protection against arbitrary action when it comes to performance evaluation, the system is reported as being not transparent, and not providing for means of appeal. When disciplinary measures are taken, there is no

established authority, no means of appeal, and peer teachers are not involved in disciplinary review bodies.

157. Responding to the allegation, the Government states that discriminatory treatment in evaluations is prohibited. Disciplinary sanctions are taken in line with terms and conditions of appointment, and are open to appeal through a prefectural labour relations commission and, ultimately, before judiciary bodies.
158. The final point raised by the union concerns union activities. The union alleges that no special leave is granted to union activities, which goes against the principles set out in the Recommendation. The Government did not respond to this point.

Findings

159. The Joint Committee will examine successively the three issues raised in the allegation, as they all relate to principles enshrined in the 1966 Recommendation. Social dialogue will be addressed separately as it cuts across all issues raised in the allegation.

Applicability of the 1966 Recommendation to the NETs

160. The first and foremost issue to be examined by the Joint Committee concerns the scope of coverage of the definition of teachers or, in other terms, the applicability of the 1966 Recommendation to NETs.
161. The Joint Committee notes the different views of both the union and the Government of Japan on the status of the NETs. These opposing views have significant implications, with on the one hand, the union asserting that the NETs are fully covered by the Recommendation, and on the other hand, the Government finding the NET position not to fall under the definition of “teachers” as defined by this standard-setting instrument. The Government indicates that categories of teachers other than the NET have the responsibilities of teaching the curriculum, creating tests, marking papers and grading results, but without specifying which ones and exactly how the NETs are exempted from such duties.
162. The Joint Committee recalls that under the terms of Paragraph 1(a) of the Recommendation:
- The word “teacher” covers all those persons in schools who are responsible for the education of pupils.
163. The Joint Committee notes the records of the Special Intergovernmental Conference on the Status of Teachers, which adopted the Recommendation in 1966.⁸ The records state that “The Conference spent some time on the appropriate definition of *teacher*” and that it was agreed that this term included “... other professionals ... who *contribute advice or assistance* to the work of the teacher” (paragraph 18 of the records, emphasis added). Furthermore, based on the records of the Joint ILO–UNESCO Meeting of Experts on the status of teachers (a body which prepared the draft Recommendation and which met in January, 1966), the reference to the ancillary staff performing non-teaching duties in Paragraph 87 was meant to designate “... such persons as clerical workers, laboratory assistants and those concerned with the maintenance of school premises, equipment and grounds”.⁹

⁸ The records of the Conference are available online at: http://unesdoc.unesco.org/Ulis/cgi-bin/ulis.pl?catno=126412&set=0058CFB4D8_0_341&gp=0&lin=1&ll=s.

⁹ *Report of the Joint ILO–UNESCO Meeting of Experts on the status of teachers*, Geneva, 17–28 January 1966, (UNESCO/CST/3), Paris, 1966, para. 10.

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- 164.** The Joint Committee further notes that the Recommendation does not specify that any specific category of teachers should be excluded from its application, and that “teachers” are defined in broad terms, therefore making the definition extensive and inclusive of all levels and categories of teaching positions.
- 165.** In this context, the Joint Committee considers that NETs should be considered as teachers within the scope of the Recommendation.

***Accreditation and remuneration aspects
of the NETs positions***

- 166.** The Joint Committee believes that the issues of accreditation and remuneration are closely linked, and that they directly arise from the status conferred to the NETs.
- 167.** The Joint Committee does not find the union and Government of Japan to be in agreement as regard the recognition of the NETs’ experience and teaching credentials. Although the Government rejects the allegations from the union, the Joint Committee takes note of the authorities’ statement in their final response, that the NET programme:
- ... was set up to employ human resources with a high degree of specialization in English and experience in teaching the language ...
- 168.** In connection to this issue, Paragraph 18(1) and (2) of the Recommendation emphasize that “Fair consideration should be given to the value of teacher-preparation programmes completed in other countries as establishing in whole or in part the right to practice teaching.” and that “Steps should be taken with a view to achieving international recognition of teaching credentials conferring professional status in terms of standards agreed to internationally.” Paragraph 45 sets out that: “Stability of employment and security of tenure in the profession are essential in the interests of education as well as in that of the teacher ...”.
- 169.** The Joint Committee recommends that the Government look carefully at the issue of qualifications and experience of the NETs, in consultation with the union, in order to recognize and value them adequately. To that end, the Joint Committee encourages the Government to explore avenues – including through a system of promotion, career advancement and skills development – that will develop suitable career paths for NETs within the education service, in line with Paragraphs 40–44 of the Recommendation.
- 170.** Regarding remuneration aspects, the Joint Committee notes that the union and local authorities exchanged contradictory views on the level of remuneration of the NETs and on whether the NETs were the only category not to be granted a pay rise. Refuting the union’s allegation, the local authorities argue that the NETs are aware of their employment conditions before recruitment, that the absence of a pay rise is not specific to NETs only, and that they remain better paid than other temporary or part-time staff employed by the prefecture.
- 171.** From this last statement, the Joint Committee notes that the local authorities seem to acknowledge that no pay rise was granted to the NETs over the course of the period indicated by the union. Furthermore, the local authorities compare the level of remuneration of NETs with the other staff employed by the prefecture; yet, this does not provide any basis for comparison between the salaries of the NETs and those of other comparable teachers. In its final comments, the authorities state that compensation is granted to the NETs but without specifying how. Therefore, on this matter, the Joint Committee has no ground to determine the facts with a degree of certainty.

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172. The Joint Committee however notices that the Government did not report on efforts to engage in negotiation with the union regarding salaries, while the Recommendation provides that "... salaries ... should be determined *through the process of negotiation* between teachers' organizations and the employers of teachers" (Paragraph 82, emphasis added).
173. The Joint Committee wishes to seize this opportunity to recall a number of key principles laid down by the Recommendation with regard to teachers' salaries:
- (a) the salary structure should be planned so as not to give rise to injustices or anomalies tending to lead to friction between different groups of teachers (Paragraph 117);
 - (b) advancement within the grade through salary increments granted at regular, preferably annual, intervals should be provided; noting that the progression from the minimum to the maximum of the basic salary scale should not extend over a period longer than 10 to 15 years and that teachers should be granted salary increments for service performed during periods of temporary appointment (Paragraph 122);
 - (c) teachers should be paid on the basis of salary scales established in agreement with the teachers' organizations; in no circumstances should qualified teachers employed on a temporary basis be paid on a lower salary scale than that laid down for established teachers (Paragraph 116);
 - (d) salary differentials should be based on objective criteria such as levels of qualification, years of experience or degrees of responsibility but the relationship between the lowest and the highest salary should be of a reasonable order (Paragraph 119);
 - (e) salary scales for teachers should be reviewed periodically to take into account such factors as a rise in the cost of living, increased productivity leading to higher standards of living in the country or a general upward movement in wage or salary levels (Paragraph 123).
174. The Joint Committee is of the opinion that an appropriate level of remuneration should be provided to ensure that the NETs enjoy a status corresponding to their level of experience and their qualifications. The Joint Committee therefore encourages the Government and the union to engage in dialogue and negotiation on this issue in a constructive manner and in a spirit of cooperation to determine a fair level of remuneration for the NETs, alongside with a salary scale setting out the salary adjustments.

Related issues, including working time, social protection, performance evaluation and disciplinary action

175. The Recommendation establishes as a guiding principle "Working conditions for teachers should be such as will best promote effective learning and enable teachers to concentrate on their professional tasks" (Paragraph 8). This principle should direct the application of all matters relating to teachers' working conditions.
176. The Joint Committee notes that the union and Government did not agree on the nature and extent of overtime for some NETs; and the union further claims that it had not been consulted on the determination of working hours. This issue being only addressed in the initial allegation by the union and first response by the Government, the Joint Committee does not have sufficient elements to give an informed opinion on this matter. However, the Joint Committee recalls that the Recommendation expressly provides that "Where a maximum number of class contact hours is laid down, a teacher whose regular schedule exceeds the normal maximum should receive additional remuneration on an approved scale" (Paragraph 118). Even though preparations are considered by the Government to be part of the duties of the NET, the standards laid down by the Recommendation should be applied

when such circumstances arise. As importantly, the Recommendation calls for consultation with teachers' organizations as regards the determination of working hours.

- 177.** Another issue raised in the allegation is the alleged lack of maternity protection and day-care arrangements for teachers with family responsibilities. The Joint Committee expresses concern at the local authorities' statement that women teachers are granted *unpaid* maternity leave, suggesting that their break in employment might constitute *de facto* maternity leave. If confirmed, this situation would not be in line with Paragraph 102 of the Recommendation, which promotes standards laid down in international labour standards regarding maternity protection and which, *inter alia*, provide for cash and medical benefits during maternity leave.
- 178.** As regards the rights to pension, the Joint Committee notes with appreciation the information supplied by the Government on the eligibility of NETs to the regular pension scheme, and notes that the union had no further observations to bring to the attention of the Joint Committee. Therefore, the Joint Committee recommends that the Government communicates all the relevant information on the applicable pension schemes to the union and to the teachers to ensure that they are fully informed of their rights.
- 179.** As performance appraisal and disciplinary measures are being discussed as a single issue by the union and Government, the Joint Committee wishes to recall their different purposes in the context of the teaching personnel. On the one hand, performance appraisal – which may take the form of periodic evaluations or assessments – is a cyclical and ongoing process that aims at providing regular feedback to teachers on their performance; on the other hand, disciplinary action results from breaches of professional conduct and such procedures should be clearly defined. Likewise, these issues are addressed as separate issues in the Recommendation (respectively, Paragraphs 64 and 47).
- 180.** As regards performance appraisal, the Joint Committee takes note of the limited information provided by the Government on its modalities, as the Government only refers to the general prohibition by law of discriminatory treatment in evaluations. The Joint Committee would have welcomed information, beyond legal provisions, on the actual practice and process to assess the NETs' performance and to give effect to the standards laid down by the Recommendation on this matter (as highlighted by Paragraph 64(1)–(2)).
- 181.** Regarding the separate issue of discipline, the Joint Committee notes with appreciation that the Government indicates which competent authority is dealing with appeals. The Joint Committee encourages the Government to undertake more efforts in ensuring that the teaching personnel and their representatives are properly aware of the role of such bodies and are duly informed of the applicable rules and regulations. The Joint Committee also recommends that the authorities envisage the opportunity of associating teachers' peers in this process, as recommended in Paragraph 51 of the Recommendation.

Social dialogue

- 182.** The Joint Committee wishes to recall the importance of engaging in meaningful social dialogue, as mentioned repeatedly in the Recommendation. The Joint Committee notes that the Government supplied very little information regarding consultation with the NETs representatives.
- 183.** The Joint Committee regrets the lack of information from the Government on consultations with the teachers' representatives on most issues covered by the allegation. The Joint Committee wishes to recall that, as provided in the Recommendation, unions should be consulted on a number of issues including but not limited to the determination of hours of work, professional criteria for promotion, merit-rating system for salary determination, etc.

On some specific issues such as the determination of salaries and working conditions, social dialogue should even go beyond consultation and involve a proper process of negotiation.

- 184.** The Joint Committee encourages the authorities and the teachers' representative to engage in dialogue and to discuss these issues. Furthermore, the Joint Committee wishes to reiterate that, while making the staff aware of the employment conditions is essential, it nevertheless should not be considered as a waiver for engaging in social dialogue with the unions.
- 185.** The Joint Committee appreciates that the NET programme was conceived to provide opportunities for English-speaking young people to serve as teacher auxiliaries in Japanese schools, with the notion that such workers would return to their countries of origin after a determined period. Undoubtedly the programme has offered many young people such opportunities. Yet as in many labour migration circumstances, some workers stay on after completion of the programme and establish lives in the host country. A situation thus appears to have arisen where a particular class of teachers are found in circumstances that were not envisioned in the original intent of the programme, and which has led to their situation being incongruent with the principles of the Recommendation.
- 186.** Keeping in mind international principles on fair migration and the Recommendation's principles on non-discrimination, the Joint Committee would strongly urge the local authorities to engage in dialogue on the above issues. As this is a relatively small group of teachers, the Joint Committee is confident that solutions can be found.

Recommendations

- 187.** The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Japan, which has the ultimate responsibility to apply the Recommendation, to engage with the educational authorities of Osaka, as appropriate, to :
- (a) ensure the application of the principles provided in the 1966 Recommendation to the NETs so that they are treated as teachers in the sense of this international standard-setting instrument and provided the necessary guidance to ensure that local authorities adopt the same approach;
 - (b) convene dialogue with the unions to explore ways to develop suitable career paths for NETs who are regularly employed within the education service over years, notably through a system of promotion, career advancement and skills development;
 - (c) consider steps to achieve international recognition of teaching credentials so as to ensure that the NETs are adequately accredited and that qualification pathways are provided to them;
 - (d) engage in constructive dialogue and negotiations with the NETs' representatives on the issues of remuneration, determination of salary scale, and other related working conditions;
 - (e) in view of facilitating an effective social dialogue, communicate all pertinent information relating to the competent bodies or mechanisms in charge of specific questions, such as pension or disciplinary procedures, to the NETs' representatives;
 - (f) keep the Joint Committee informed of further developments to allow for monitoring of the situation and further consideration by the Joint Committee.
- 188.** The Joint Committee recommends that the ILO and UNESCO undertake research to explore the challenges and specificities of teaching assistant roles.

B. Follow-up on allegations considered at the 12th Session, 2015

Cases previously examined by the Joint Committee

Allegation by the Cambodian Independent Teachers' Association (CITA)

- 189.** The Joint Committee considered an allegation made by the Cambodian Independent Teachers' Association (CITA) at its 12th Session, and in a subsequent interim report published in 2016.
- 190.** In its interim report,¹⁰ the Joint Committee recommended that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Cambodia to:
- (a) engage in specific dialogue with CITA around the issues raised in the allegation;
 - (b) engage in formal consultation with all relevant teachers' associations on the implementation of the Teacher Policy Action Plan (TPAP) and other education policy matters; and
 - (c) keep the Joint Committee informed of further developments within one year, in particular in relation to the development and implementation of relevant policies, to allow for monitoring of the situation and further consideration by the Committee.
- 191.** The Joint Committee also recommended that the Governing Body of the ILO and the Executive Board of UNESCO encourage CITA to clearly align its political actions with the professional interests of its members, and refrain from actions that are abusive, violent or essentially of a political nature.
- 192.** Since the interim report, no information has been received by the Joint Committee from the Government or CITA.
- 193.** The Joint Committee takes note of continuing concerns about human rights in Cambodia, and the interference in a demonstration organized by CITA on World Teachers' Day on 5 October 2017, as reported by the Special Rapporteur on the situation of human rights in Cambodia.¹¹

Recommendations

- 194.** The Joint Committee therefore recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Cambodia to:
- (a) implement the recommendations set out in the interim report, including to engage in specific dialogue with CITA around the issues raised in the original allegation;

¹⁰ ILO, interim report of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, Allegation received from the Cambodian Independent Teachers' Association (CITA)

¹¹ Report of the Special Rapporteur on the situation of human rights in Cambodia, Human Rights Council, Thirty-ninth Session, 10–28 September 2018, document A/HRC/39/73/Add.1.

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- (b) inform the Joint Committee as soon as possible on further developments, in particular regarding social dialogue with CITA and other teacher organizations, to allow for monitoring of the situation and further consideration by the Committee.

Allegation received from the All Japan Teachers' and Staff Union (ZENKYO)

- 195.** The Joint Committee considered an allegation made by the All Japan Teachers and Staff Union (ZENKYO) at its 12th Session, and in a subsequent interim report published in 2016.¹² In its interim report, the Joint Committee recommended that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Japan and ZENKYO to:
- (a) engage in specific dialogue around the development of policy for contract and working-time issues, including review of pertinent legislation and the establishment of effective monitoring mechanisms at the local level, with due respect given to ensuring that negotiations and consultations take place in good faith and in a spirit of cooperation;
 - (b) consider joint fact-finding to be part of the process to ensure a common understanding of the issues and to facilitate constructive dialogue and work towards resolving the difference of views expressed by both parties;
 - (c) keep the Joint Committee informed of further developments within one year, in particular in relation to the development and implementation of relevant policies, to allow for monitoring of the situation and further consideration by the Committee.
- 196.** In a further submission to the Joint Committee in 2017, the union claims it requested several meetings with the Ministry of Education, Culture, Sports, Science and Technology (MEXT) to discuss issues in the Joint Committee's interim report. According to the union, MEXT did not engage in specific dialogue on the issues raised in the report.
- 197.** The union then further elaborates its claims of long working hours for teachers, and the use of temporary teacher contracts. According to the union, teachers worked an average of 34 hours overtime per month, with overtime pay corresponding to only eight hours. Many temporary teachers faced problems in accessing social protection and other benefits as a result of contract breaks.
- 198.** The union also raises an issue concerning the leadership role of head teachers in enforcing government policies, and apprehension about possible harassment, but does not provide any details.
- 199.** The Government, in its response, retains its position that many of the conditions pointed out by the union are a local matter set out through the Local Public Service Act. It claims that it has arranged for a "virtual discussion" of the issue of long working hours with ZENKYO and other unions.
- 200.** The Government nonetheless recognizes that long hours are a serious problem for Japanese teachers and had initiated a number of actions to address this issue. The Government also acknowledges that the use of temporary teachers poses problems for quality education and for teachers' benefits. It claims to have issued guidance in this regard.

¹² Interim report of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel Allegation received from the All Japan Teachers and Staff Union (ZENKYO), Geneva, 2016, document CEART/INT/2016/1.

Findings

- 201.** The Joint Committee notes that there does not seem to be disagreement on the identification of the problems concerning long hours, overtime and the use of temporary contracts. Both unions and Government agree that such practices are detrimental to quality education and to teachers' working conditions.
- 202.** There does seem to be divergence between the parties on the nature of dialogue that is occurring on these issues. The Joint Committee is not clear what "virtual dialogue" is and if such measures can be improved.
- 203.** As the Government seems to indicate, there is also scope for action on the part of MEXT to address these problems together with local school boards through the issuance of guidance and initiatives such as "School as a team". The Joint Committee is of the view that, despite the decentralized nature of school authorities, the central authority of MEXT can allow it to issue strong guidance and exercise supervision and monitoring of local school authorities with respect to basic conditions of work for teachers, in particular hours of work and use of temporary contracts. In this respect, the Joint Committee affirms that states are responsible for education and that "the various branches of the teaching service should be coordinated as both to improve the quality of education for all pupils and to enhance the status of teachers". (1966 Recommendation, Paragraphs 10(c) and 10(e)).

Recommendations

- 204.** The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO encourage the Government of Japan and ZENKYO to:
 - (a) implement the recommendations set out in the interim report;
 - (b) undertake serious dialogue on issues of long hours of work, overtime pay and the use of temporary teacher contracts, with a view to collaboratively devising solutions that can be implemented together with local school authorities. While online consultations can be helpful in such matters, face-to-face discussion is a preferable means of social dialogue;
 - (c) in view of the fact that both the Government and union agree that such problems are an obstacle to quality education, and given the persistence of such problems over many years, urge the Government and the union to explore means to establish permanent and continuous social dialogue mechanisms to address teachers' issues. Such mechanisms can allow for a more concentrated and mutually beneficial exploration of issues facing teachers, and, hopefully, lead to a decline in allegations of non-respect of the principles of the 1966 Recommendation.

Allegation received from the National Teachers' Federation (FENPROF) of Portugal

- 205.** At its 11th Session in 2012, the Joint Committee considered an allegation submitted by the National Teachers' Federation (FENPROF) concerning the Portuguese Government's alleged disregard for collective bargaining, the absence of negotiation in relation to the reduction of teachers' salaries, the suspension of teachers' career progression and the absence of negotiation with regard to legislative measures aimed at introducing changes in the curriculum. In its recommendation, the Joint Committee urged both parties to seek a resolution to these matters in line with the principles of the Recommendation.
- 206.** In 2015, at its 12th Session, the Joint Committee recommended both parties keep it apprised of developments. No further information was provided from either party.

Recommendations

- 207.** The Joint Committee remains interested in monitoring the situation of collective bargaining and negotiation with teachers' organizations in light of education funding in Portugal. The Joint Committee recommends that the Governing Body of the ILO and the Executive Board of UNESCO request both parties to keep it informed of developments before its next session in 2021. If no further information is communicated, the Joint Committee will consider this case closed at its 14th Session.

Allegation received by the Tokyo-to-Gakko Union of Japan

- 208.** At its 12th Session in 2015, the Joint Committee considered an allegation by the Tokyo-to-Gakko Union of Japan. The Joint Committee made a number of recommendations and requested the parties to keep the Joint Committee informed of efforts to implement these recommendations. The Joint Committee has not received any new information in this regard. It encourages the Government to provide information on how any of the recommendations made in this case have been addressed.

C. Promotional activities

- 209.** The Joint Committee noted a wide range of activities undertaken by UNESCO and the ILO to promote greater knowledge and use of the two Recommendations, including those undertaken by CEART members. It specifically noted the participation of Joint Committee experts in World Teachers Day events.
- 210.** In February 2018, UNESCO, together with the ILO, EI, the Global Partnership for Education (GPE), UNHCR, UNICEF and the International Task Force on Teachers for Education 2030 (TTF), launched a project on Strengthening Multi-Partner Cooperation to Support Teacher Policy and Improve Learning. The project will promote the development of teacher policies and systems in four target countries. A key strategy in this endeavour is to promote the work of the Recommendations concerning teaching personnel and the work of the Joint Committee. The ILO has participated in a number of international events to promote principles of the Recommendations, including in relation to early childhood education and the growing recognition of education support personnel.
- 211.** In September 2018, the ILO held a Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education which examined employment terms and conditions, professional rights and social dialogue mechanisms, including collective bargaining and collegial governance in tertiary education. The Forum adopted points of consensus, which called for, among other things, the promotion of the 1997 UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel, and further support measures for the Joint Committee with a view to raising the visibility and effectiveness of its work.

D. Working methods of the Joint Committee

- 212.** The Joint Committee was of the view that the Committee retained an important role in international discussions on teachers, based on its status as an independent body of experts within the education and labour mandates of the UNESCO and ILO. It considered that the informal session with relevant stakeholders useful. It also upheld the idea of issuing a declaration or other form of communication to synthesize its deliberations and issue guidance on current issues concerning the teaching profession. The allegations procedure was also viewed as important, although its procedures would need to be tightened.

213. The Joint Committee decided that future sessions would examine fewer topics, and consolidate issues into one larger umbrella theme which could be the subject of a longer preparatory report. This would allow for a deeper examination of certain issues and focused dialogue with stakeholders and social partners on specific topics.

E. Draft agenda of the 14th Session of the Joint Committee

214. The Joint Committee proposed the following topics for consideration on the agenda of its 14th Session in 2021:

- (a) teacher training and development in the light of the future of work and education;
- (b) the role of teacher unions and social dialogue in education policy;
- (c) improving the social status of teachers.

Appendix I

Background sources for the 13th Session ¹

- Education International. *Report to the Committee of Experts on the Application of the Recommendations concerning Teachers (CEART)*, Brussels, EI, 2018.
- International Commission on Financing Global Education Opportunity. *The Learning Generation: investing in education for a changing world*, Global Commission, 2017.
- International Labour Office. *Employment terms and conditions in tertiary education: Issues paper for discussion at the Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education* (Geneva, 18–20 September 2018), ILO, 2018.
- Jang, A. and Weller, C. *The future of work and the teaching profession*, Background paper for the 13th session of CEART (CEART/13/2018/3), ILO, 2018.
- Jarrell, A. *Assessing teaching in higher education: Current issues, trends and recommendations*, Background paper for the 13th session of CEART (CEART/13/2018/4), UNESCO, 2018.
- Locatelli, R. *The implications of education privatization on teachers in lower-income countries*, Background paper for the 13th session of CEART (CEART/13/2018/2), ILO, 2018.
- Rawkins, C. *A Global Overview of TVET Teaching and Training: Current Issues, Trends and recommendations*, background paper for the 13th session of CEART (CEART/13/2018/7), ILO, 2015.

¹ Background documents of the 13th Session of the Joint Committee can be found at: www.ilo.org/education.

Appendix II

Secretariat of the Joint Committee

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Appendix III

Education is not a commodity: Teachers, the right to education and the future of work

Declaration by the 13th Session of the ILO-UNESCO Joint Committee of Experts on the Application of the Recommendations concerning Teaching Personnel on the occasion of the 50th anniversary of the Joint Committee and World Teachers' Day 2018

The Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (hereafter the Joint Committee), having met at its 13th Regular Session in Geneva on 1–5 October 2018;

Recalling the principles of the Universal Declaration of Human Rights that education is a human right and that such education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms, and that it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;

Recognizing the importance of international deliberations on the future of work and education for sustainable development;

Considering the important intersections between Sustainable Development Goal 4 on quality education and Goal 8 on decent work and economic growth;

Affirming the critical role of teachers in fulfilling the right to education and preparing future generations for the world of work;

Recalling the essential principles on the teaching profession set out in the ILO–UNESCO Recommendation concerning the Status of Teachers (1966) and the UNESCO Recommendation concerning the Status of Higher Education Teaching Personnel (1997) are as relevant as ever in guiding policies aimed at strengthening the status of teaching personnel;

Mindful that in its communiqué to the World Education Forum of 2015, the Joint Committee had called for empowering teachers;

Recalling that labour is not a commodity; and

Concerned that commercialization and privatization have potentially negative consequences for the right to education and education as a public good;

Adopts the following Declaration:

1. Education has a central role in preparing learners for a dramatically changing world, for engaged citizenship, and for recognizing their rights and responsibilities. Well-prepared and qualified teachers with professional recognition are critical in enabling learners to deal with these challenges through the provision of quality education. The economic rationale of education should not undermine its holistic function.
2. There is currently great anxiety about the future and the amplification of inequality, which will be significantly impacted by technological developments, forced and voluntary migration, changing forms of globalization, demographic changes and increasing strains on the environment.
3. Technology can support teachers but should not replace them. Technologies can increase access to information, but they can also increase psychological stress and disinformation. The inclusion of digital technologies in education should be used with a view to supporting learning and improving quality, and should not create further inequities in education. Teachers need to be pedagogically prepared to effectively use technologies through high-quality pre-service and in-service programmes.
4. TVET will play an important role in preparing learners for future job realities. However, the sector is impacted by financial constraints that have undermined the quality of teachers, trainers and

programmes. TVET teachers have been traditionally under-supported in education systems. Nevertheless, they should enjoy the same status and conditions as well as opportunities for adequate professional preparation as other teachers.

5. In higher education, teaching and research should be equally valued and balance should be sought between fields that are commercially profitable and those that promote overall human development. Employment in tertiary education should be based on decent work principles.
6. Private investment and public private partnerships can provide resources and important workplace experiences and technological knowledge for education institutions. Yet they can also pose threats to education quality and equity as well as academic freedom, and should therefore be carefully regulated and monitored by governments.
7. Teachers should be supported in preparing learners for a changing world through both high-quality pre-service education and continuing professional development. This should include preparation to work effectively with diverse learners, especially in areas related to digital technologies, socio-emotional development, and demands from the world of work and society. The teaching profession at every level should be inclusive and reflect societal diversity. Adequate funding of the education sector must occur to ensure equality in the provision of decent salaries and conditions of work for teaching personnel.
8. Education is a fundamental human right and not a commodity. Education should be public, equitable and accessible for all. Furthermore, it should continue to play a role in the preparation of learners for the world of work, but it should, above all, have as its aim the physical, spiritual, moral and intellectual development of persons for the progress of society, the economy, and the environment.
9. In view of the above, the Joint Committee calls on governments, teacher organizations and unions, international development partners and other stakeholders in education to take urgent actions, in line with the provisions of the Recommendations of 1966 and 1997, so as to:
 - (a) ensure that education remains a public good and a fundamental human right;
 - (b) regulate and monitor private involvement in education provision;
 - (c) raise the status of employment in the public sector in general and the professional status of teachers in particular;
 - (d) ensure that teachers and educators are empowered, adequately recruited, well-trained, professionally qualified, motivated and supported within well-resourced, efficient and effectively governed education systems;
 - (e) ensure that education remains dedicated to the emancipation of humanity, so that future generations not only can react and adapt to the future, but can actively shape it to determine the future they want.

Geneva, 5 October 2018