

**UNESCO**  
**and**  
**HUMAN RIGHTS**

**STANDARD-SETTING INSTRUMENTS  
MAJOR MEETINGS  
PUBLICATIONS**

Selection of documents and introduction by  
Janusz SYMONIDES and Vladimir VOLODIN

**50th Anniversary of UNESCO**

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## INTRODUCTION

UNESCO's obligation to promote and protect human rights was established by its Constitution, adopted on 16 November 1945<sup>1</sup>, which proclaims in its Article 1 that the purpose of the Organization is «... to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations ».

In order to realize its main objectives, the Organization elaborates relevant international instruments. Standard-setting has thus always played an important role in UNESCO's activities. During fifty years of existence, almost sixty conventions, declarations and recommendations have been elaborated and adopted by the General Conference of UNESCO<sup>2</sup>. A great number of these instruments are linked directly or indirectly with human rights. It is obvious that they concern primarily those human rights which are within UNESCO's fields of competence (education, culture, science, as well as communication and information). The texts of these instruments are reproduced in the first part of this publication (pp. 1 to 287).

The normative instruments adopted by the Organization can be divided into two categories: on the one hand, conventions and, on the other, declarations and recommendations. The adoption of an international convention demands a two-thirds major-

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<sup>1</sup> The Conference which established UNESCO was convened in London from 1 to 16 November 1945. The Governments of 44 countries were represented at it by delegates and advisers, and 7 international organizations were also sent observers. The Conference adopted UNESCO's Constitution and established the Organization's headquarters Paris.

<sup>2</sup> The first instrument was the Agreement for Facilitating of Visual and Auditory Materials of an Educational, Scientific and Cultural Character, adopted on 10 December 1948.

ity at the General Conference, whereas in the case of recommendations and declarations a simple majority is sufficient. Conventions, after ratification, acceptance or accession by States, are binding<sup>3</sup>, though declarations and recommendations are not. However Member States are invited to implement them. In many cases they constitute a step toward the formulation of binding instruments and often contribute to the creation of customary law.

Nevertheless, the fact that a State is not Party to a given instrument does not mean that its provisions can be completely disregarded. Member States have an obligation to submit standard-setting instruments (conventions, recommendations and declarations), adopted by the General Conference, «... to its competent authorities within a period of one year from the close of the session of the General Conference at which they were adopted»<sup>4</sup>.

It presumes that the provisions of these instruments will be taken into account in national legislation and practice, even in States which are not Parties to them, while the States Parties will adapt their legislation and practice to be in full compliance with those provisions.

Certain declarations and recommendations may also contain a direct appeal to Member States to take measures so that their legislation and practice comply with a given instrument. Thus, the Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It (1976), recommends) to «... Member States, if they have not already done so, to adopt legislation or regulations in conformity with their national constitutional procedures, or otherwise modify existing practices in order to [...] achieve UNESCO's aims».

UNESCO instruments envisage the monitoring of their implementation. A general provision to this end is formulated in the Constitution which stipulates that: «The General Conference shall receive and consider the reports sent to the Organization by Members States on the action taken upon the recommendations and conventions or, if it so decides, analytical summaries of these reports»<sup>5</sup>.

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<sup>3</sup> By far not all Member States are Parties to UNESCO Conventions. For example, as of 31 December 1995 out of 184 Member States, only 85 were Parties to the Convention against Discrimination in Education (1960). The Director-General has repeatedly appealed to the Member States, inviting them to ratify or accede to UNESCO standard-setting instruments, so as to make them universally binding.

<sup>4</sup> UNESCO Constitution, Article IV, paragraph B.4.

<sup>5</sup> UNESCO Constitution, Article IV, paragraph B.4.

Apart from this general request, more specific provisions may also be included on this subject. Thus, Article 7 of the Convention against Discrimination in Education provides that the States Parties shall in their periodic reports to the General Conference of UNESCO « ... give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, including that taken for the formulation and the development of the national policy [...] as well as the results achieved and the obstacles encountered in the application of that policy».

Article 7 of the Convention on Technical and Vocational Education (1989) formulates the same provision slightly differently: « The Contracting States shall specify, in periodic reports submitted to the General Conference [...] at the dates and in the form determined by it, the legislative provisions, regulations and other measures adopted by them to give effect to this Convention».

Declarations and recommendations are in some cases supplemented by special resolutions requesting additional action from States in order to implement their provisions. Thus the General Conference, at its twentieth session in 1978, adopted a resolution concerning the implementation of the Declaration on Race and Racial Prejudice (1978), which urges Member States:

- « a) to consider the possibility of ratifying, if they have not yet done so, the international instruments designed to aid in countering and eliminating racial discrimination ...;
- (b) to take appropriate measures, including the passing of laws..., with a view to preventing and punishing acts of racial discrimination and ensuring that fair and adequate reparation is made to the victims of racial discrimination;
- (c) to communicate to the Director-General all necessary information concerning the steps they have taken to give effect to the principles set forth in the Declaration ».

This Resolution also invites the Director-General to prepare, on the basis of the information supplied by Member States, a comprehensive report on the world situation in the fields covered by the Declaration.

The General Conference also adopts recommendations evaluating the implementation of UNESCO standard-setting instruments. Such action fully corresponds to the viewpoint that the Organization should « ... ensure the widest possible implementation and application of the instruments adopted and should enable the General Conference, and hence Member States them-



selves, to assess the effectiveness of the Organization's standard-setting activity »<sup>6</sup>.

In fact it would be difficult to find a UNESCO instrument not related to human rights. A number of them, though not designed specifically to protect human rights, concern the rights of persons belonging to various professional categories or groups of population<sup>7</sup>.

Several such normative instruments deal with the right to participate in cultural life, access to education, science and information. Thus the Declaration of the Principles of International Cultural Co-operation (1966) states in its Article IV that the States Parties should develop peaceful relations and friendship among the peoples and bring a better understanding of each other's way of life. The Declaration also invites Governments « ... to enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life and to raise the level of the spiritual and material life of man in all parts of the world ».

The Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone (1960) contains a provision aimed at facilitating access to museums to persons belonging to low-income groups and thus is directly linked with the promotion of the right to participate in cultural life.

The Convention concerning the Exchange of Official Publications and Government Documents between States and the Convention concerning the International Exchange of Publications<sup>8</sup> also aim at the implementation of the right to participate in cultural life, as well as the right « ... to seek, receive and impart information and ideas through any media and regardless of frontiers »<sup>9</sup> by facilitating access to publications issued

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<sup>6</sup> Resolution on Initial Special Reports submitted by Member States on the action taken by them to give effect to the Revised Recommendation concerning the Intentional Standardization of Statistics on the Production and Distribution of Books, Newspapers and Periodicals adopted by the General Conference at its twenty-fourth session in 1987 (Resolution 30, paragraph 10).

<sup>7</sup> Recommendation concerning the Status of Teachers, 1966; Recommendation concerning the Status of Scientific Researchers, 1974; Recommendation on the Legal Protection of Translators and Translations and the Practical Means to Improve the Status of Translators, 1976; Recommendation concerning the Status of the Artist, 1980).

<sup>8</sup> Both Conventions were adopted on 3 December 1958 and came into force on 23 November 1961 and 30 May 1961 respectively.

<sup>9</sup> Article 19 of the Universal Declaration of Human Rights.

abroad. They are therefore of particular importance for the realization of the principles of free exchange of ideas and knowledge between the peoples of the world, which are inseparable from the major objectives of UNESCO.

UNESCO has also contributed to the elaboration of international standards related to humanitarian law. The Convention for the Protection of Cultural Property in the Event of Armed Conflict (« The Hague Convention »), adopted in 1954 under the auspices of UNESCO, was the first international instrument containing provisions for the safeguarding of movable or immovable cultural property of great importance. The significance of this Convention is evident, because the implementation of cultural rights is hardly possible without preservation of the cultural heritage of humankind. Taking into account the experience gained during recent conflicts, UNESCO is now re-examining questions linked to the protection of cultural property in the case of armed conflict. The Organization therefore undertook various practical steps aimed at the improvement of the protection of cultural property.

In order to combat the violation of cultural rights, understood in the broader sense as the rights to education, to participation in cultural life and scientific progress, etc., the UNESCO Executive Board at its 104th session in 1978, established a special procedure. By Decision 104 EX/3.3, in the exercise of its competence in the field of human rights, UNESCO is called upon to examine cases concerning their violations, individual and specific, as well as questions concerning massive, systematic or flagrant violations of human rights. UNESCO does not play the role of an international court or arbitrator but helps to reach solutions to particular problems concerning human rights by initiating consultations in conditions of mutual respect, confidence and confidentiality. Complaints about violations of human rights should correspond to specific rules (they must not be anonymous, they must originate from a victim or from any person, as well as from any group or organization having reliable knowledge of these violations, they must be well-founded and based on serious information and must not be offensive).

After a communication is declared admissible by the Committee on Conventions and Recommendations, responsible for advancing the promotion of human rights falling within the fields of competence of UNESCO, it is acted upon by this Committee with a view to finding a solution. The Committee reports in a confidential document to the Executive Board, which may then take appropriate action to endorse a report and

ask to the government concerned to take measures to restore the necessary safeguards of human rights<sup>10</sup>.

Given the dangerous rise in the number of acts of intolerance and extreme violence in different parts of the world, directed with increasing frequency against members of the intellectual community (writers, artists, scientists, educators, journalists), often because of their membership in that community, UNESCO is stepping up its action to alert public opinion on this very serious problem (see Approved Programme and Budget for 1996-1997, document 28C/5). This action will comprise the systematic gathering, in co-operation with intergovernmental and non-governmental organizations, of information on cases which fall within UNESCO's spheres of competence. In addition, studies on the origins and manifestations of extreme violence against intellectuals will be carried out.

The UNESCO-sponsored International Freedom of Expression Exchange Network mobilizes international public opinion, non-governmental organizations and professional associations against violations of the rights of journalists.

The Director-General of UNESCO in a series of special communiqués and declarations in the media drew the attention of the international community to barbarous acts of terrorism (in particular, in Algeria). On a number of occasions, he has made statements condemning such acts, especially those against intellectuals which impede their freedom of expression, and denounced situations where the lives of intellectuals are in jeopardy.

UNESCO's activities in the field of human rights are not limited to the adoption of standard-setting instruments and control over their implementation. Human rights cannot be protected if they are not known and understood by people at large and, in particular, by professionals having special responsibilities in this field (lawyers, judges, police officers, etc.). The promotion of knowledge on human rights in order to ensure their respect has therefore become an essential part of UNESCO's activities since its very beginning. On 11 December 1948, immediately after the adoption of the Universal Declaration of Human Rights<sup>11</sup>, the General Conference adopted a resolution

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<sup>10</sup> Between 1978 and 1995 due to this procedure, of 440 cases recognized admissible 266 cases were solved. In the result members of intellectual community were released from prisons, obtained their right to leave a country, etc. In several cases, national legislation was modified to correspond fully to international standards.

<sup>11</sup> UNESCO took part in the elaboration of the Universal Declaration of Human Rights and has contributed greatly to the dissemination of information on its content. For detailed information on this subject,

which acknowledges the importance of the Universal Declaration for all UNESCO's activities, in particular for those dealing with education and international understanding. Moreover, the General Conference asked the Director-General to actively disseminate information concerning the Universal Declaration within the Secretariat to ensure that all units of the Organization were inspired by its provisions.

The articles of the Universal Declaration concerning freedom of human beings and their equality in dignity and rights (Article 1) and non-discrimination (Article 2) became guidelines for all UNESCO activities related to human rights. Moreover, a number of rights, enshrined in the Declaration, are linked inseparably with UNESCO's fields of competence, such as the right to education (Article 26), the right to participate in the cultural life of the community (Article 27) and the right to freedom of opinion and expression (Article 19). The promotion of knowledge on human rights is the subject of the Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, adopted in 1974. It reaffirms in particular «... the responsibility which is incumbent on UNESCO to encourage and support in Member States any activity designed to ensure the education for all for the advancement of justice, freedom, human rights and peace ». The Recommendation applies to all stages and forms of education and determines general guidelines and specific actions in order to ensure better understanding of human rights.

It is necessary to bear in mind that the very notion of human rights can be hardly separated from such basic values as democracy and peace. This inseparable link was acknowledged by the International Congress on Education for Human Rights and Democracy organized by UNESCO in Montreal in March 1993, in co-operation with the United Nations Centre for Human Rights and the Canadian Commission for UNESCO. In fact, the Montreal Congress was the first international gathering organized within the United Nations system which considered questions related to democracy and its inter-relationship with human rights. The World Plan of Action on Education for Human Rights and Democracy, adopted by the Congress, was noted by the World Conference on Human Rights (Vienna, Austria, June 1993). The Conference stressed that: « Human rights should include peace, democracy, development and social justice in order to achieve common understanding and awareness with a

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see the article by Janusz Symonides in *The Universal Declaration of Human Rights, 45th Anniversary 1948-1993*, UNESCO, Paris, 1994.

view to strengthening universal commitment to human rights »<sup>12</sup>. The Conference also underlined the inherent link between respect for human rights and maintenance of peace and security by declaring that: « ... the efforts of the United Nations system towards the universal respect for, and observance of, human rights and fundamental freedoms for all, contribute to the stability and well-being necessary for peaceful and friendly relations among nations, and to improved conditions for peace and security ... »<sup>13</sup>. The Conference, taking into account the Montreal World Plan and other human rights instruments recommended States « ... to develop specific programmes and strategies for ensuring the widest human rights education »<sup>14</sup>. The final document of the Conference also stipulated that « ... democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing » and that « ... the international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world »<sup>15</sup>.

In recent years, UNESCO has also paid particular attention to the encouragement of tolerance. The United Nations Year for Tolerance (1995) was proclaimed by the General Assembly of the United Nations (resolution 48/126 of 20 December 1993) at the initiative of UNESCO which was then invited to play the role of a lead agency in the implementation of activities linked with the Year. The General Conference adopted a Declaration of Principles on Tolerance (the text is reproduced in this publication) and proclaimed 16 November the International Day of Tolerance.

The Declaration stresses in particular that tolerance « ... is not concession, condescension or indulgence »; it is « ... above all, an active attitude prompted by recognition of human rights and fundamental freedoms of others » and « ... the responsibility that upholds human rights, pluralism, democracy and the rule of law »<sup>16</sup>.

This book also contains a section comprising the final documents of major meetings related to human rights organized by UNESCO in recent years. Some of these meetings were devoted especially to the promotion of education for human rights as well as for democracy, peace and international under-

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<sup>12</sup> *The Vienna Declaration and Programme of Action*, para. 80.

<sup>13</sup> *Ibid.*, para. 6.

<sup>14</sup> *Ibid.*, para. 81.

<sup>15</sup> *Ibid.*, para. 8.

<sup>16</sup> Declaration of Principles on Tolerance, Article I.

standing<sup>17</sup>. Some meetings dealt with access to information which is a human right and an important precondition to implementing other human rights. In this context, two meetings on the promotion of an independent and pluralistic press and media were held (Namibia, 1991 and Kazakhstan, 1992); they were particularly important insofar as they adopted declarations on the subject for the respective regions.

The meeting held in Barcelona in 1994), where the representatives of all major world religions reached consensus on a number of complex issues also deserves particular mention, adopted the Declaration on the Role of Religion in the Promotion of a Culture of Peace. This Declaration has received wide recognition from various religious communities, as well as from organizations and individuals. The link between tolerance, democracy, rule of law and respect for human rights was reaffirmed in the Recommendation on Democracy and Tolerance adopted in Seoul, Republic of Korea, in 1994, at a conference which was one of the first meetings organized by UNESCO to implement the programme of the United Nations Year for Tolerance.

Bearing in mind the essential role of UNESCO in human rights education, especially in the implementation of the Plan of Action of the United Nations Decade on Human Rights Education (1995-2004), this book also contains (Annex II), a chronological list of UNESCO's publications on issues related to human rights, peace and democracy since the creation of the Organization. A great number of these publications (the first appeared in 1949) are devoted to the clarification of the meaning of international human rights standards, the struggle against all forms of discrimination, and the promotion of basic knowledge on procedures for human rights protection and democracy-related issues.

One of the strategic objectives of UNESCO in the promotion of education for human rights, democracy and peace is the development of active co-operation with educational institutions all over the world. In order to strengthen such co-operation, a network of UNESCO Chairs on Education for Human Rights, Democracy and Peace is being created. The list of those chairs already established in various regions can be found in Annex III.

Today, UNESCO, with its 184 Members States and 4 Associate Members, is involved actively in the promotion of a

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<sup>17</sup> International Congress on the Teaching of Human Rights, Vienna, Austria, 1978; International Congress on Human Rights Teaching, Information and Documentation, Malta, 1987, and International Congress on Education for Human Rights and Democracy, Montreal, Canada, 1993.

culture of peace. Respect for human rights and the consolidation of democracy are indispensable elements of this culture which should replace age-old patterns of thinking based on the use of force and violence. These priorities are clearly indicated in the Fourth UNESCO Medium-Term Strategy (1996-2001) which will lead the Organization's action into the twenty-first century.

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It is hoped that this collection of instruments will assist in a wider and better knowledge of UNESCO's contribution to the promotion and protection of human rights.

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# I

## **TEXTS OF MAJOR STANDARD-SETTING INSTRUMENTS ON HUMAN RIGHTS**

- (a) CONVENTIONS*
- (b) DECLARATIONS*
- (c) RECOMMENDATIONS*
- (d) LIST OF OTHER STANDARD-  
SETTING INSTRUMENTS RE-  
LATED TO HUMAN RIGHTS  
AND HUMANITARIAN LAW*



## (A) CONVENTIONS

### AGREEMENT FOR FACILITATING THE INTERNATIONAL CIRCULATION OF VISUAL AND AUDITORY MATERIALS OF AN EDUCATIONAL, SCIENTIFIC AND CULTURAL CHARACTER (THE « BEIRUT AGREEMENT »), 1948<sup>1</sup>

#### Introduction

*Basically concerned with customs and importation, this Convention covers the following kinds of materials: films, filmstrips, micro-films, sound recordings, slides, static and moving models, charts, maps and posters. If they are educational, scientific or cultural in nature, these items are exempted from custom duties, quotas and import licences when they are imported by a contracting State. In addition, they are not subject to higher internal taxes than those applied to like items produced in the importing country, and they receive equally favourable treatment in so far as regulations concerning sale, transport, distribution, reproduction and display are concerned. A certificate issued by the authorities of the exporting country must testify to the nature of the materials covered by the Agreement. Contracting States also undertake to seek together means of reducing restrictions not covered by this instrument.*

*The Agreement came into force on 12 August 1954*

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The governments of the States signatory to the present Agreement, *Being* convinced that in facilitating the international circulation of visual and auditory materials of an educational, scientific and cultural character, the free flow of ideas by word and image will be promoted and the mutual understanding of peoples thereby encouraged, in conformity with the aims of the United Nations Educational, Scientific and Cultural Organization, Have agreed as follows:

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<sup>1</sup> Adopted on 10 December 1948 by the General Conference of UNESCO at its third session, held in Beirut.

## **Article I**

The present Agreement shall apply to visual and auditory materials of the types specified in article II which are of an educational, scientific or cultural character. Visual and auditory materials shall be deemed to be of an educational, scientific and cultural character:

- (a) when their primary purpose or effect is to instruct or inform through the development of a subject or aspect of a subject, or when their content is such as to maintain, increase or diffuse knowledge, and augment international understanding and goodwill; and
- (b) when the materials are representative, authentic, and accurate; and
- (c) when the technical quality is such that it does not interfere with the use made of the material.

## **Article II**

The provisions of the preceding article shall apply to visual and auditory materials of the following types and forms:

- (a) Films, filmstrips and microfilm in either negative form, exposed and developed, or positive form, printed and developed;
- (b) Sound recordings of all types and forms;
- (c) Glass slides; models, static and moving; wall charts, maps and posters. These materials are hereinafter referred to as « material ».

## **Article III**

1. Each of the contracting States shall accord, within six months from the coming into force of the present Agreement with respect to that State, exemption from all customs duties and quantitative restrictions and from the necessity of applying for an import licence in respect of the importation, either permanent or temporary, of material originating in the territory of any of the other contracting States.

2. Nothing in this Agreement shall exempt material from those taxes, fees, charges or exactions which are imposed on the import of all articles without exception and without regard to their nature and origin, even though such articles are exempt from customs duties; such taxes, fees and exactions shall include, but are not limited to, nominal statistical fees and stamp duties.

3. Material entitled to the privileges provided by paragraph I of this article shall be exempt, in the territory of the country of entry, from all internal taxes, fees, charges or exactions other or higher than those imposed on like products of that country, and shall be accorded treatment no less favourable than that accorded like products of that country in respect of all internal laws, regulations or requirements affecting its sale, transportation or distribution or affecting its processing, exhibition or other use.

4. Nothing in this Agreement shall require any contracting State to deny the treatment provided for in this article to like material of an educational, scientific or cultural character originating in any State not a party to this Agreement in any case in which the denial of such treatment would be contrary to an international obligation or to the commercial policy of such contracting State.

#### **Article IV**

1. To obtain the exemption, provided under the present Agreement for material for which admission into the territory of a contracting State is sought, a certificate that such material is of an educational, scientific or cultural character within the meaning of Article I, shall be filed in connexion with the entry.

2. The certificate shall be issued by the appropriate governmental agency of the State wherein the material to which the certificate relates originated, or by the United Nations Educational, Scientific and Cultural Organization as provided for in paragraph 3 of this article, and in the forms annexed hereto. The prescribed forms of certificate may be amended or revised upon mutual agreement of the contracting States, provided such amendment or revision is in conformity with the provisions of this Agreement.

3. Certificates shall be issued by the United Nations Educational, Scientific and Cultural Organization for material of educational, scientific or cultural character produced by international organizations recognized by the United Nations or by any of the Specialized Agencies.

4. On the filing of any such certificate, there will be a decision by the appropriate governmental agency of the contracting State into which entry is sought as to whether the material is entitled to the privilege provided by Article III, paragraph 1, of the present Agreement. This decision shall be made after consideration of the material and through the application of the standards provided in Article I. If, as a result of that consideration, such agency of the

contracting State into which entry is sought intends not to grant the privileges provided by Article III, paragraph 1, to that material because it does not concede its educational, scientific and cultural character, the government of the State which certified the material, or UNESCO, as the case may be, shall be notified prior to any final decision in order that it may make friendly representations in support of the exemption of that material to the government of the other State into which entry is sought.

5. The governmental agency of the contracting State into which entry is sought shall be entitled to impose regulations upon the importer of the material to ensure that it shall only be exhibited or used for non-profit-making purposes.

6. The decision of the appropriate governmental agency of the contracting State into which entry is sought, provided for in paragraph 4 of this article shall be final, but in making its decision the said agency shall give due consideration to any representations made to it by the government certifying the material or by UNESCO as the case may be.

#### **Article V**

Nothing in the present Agreement shall affect the right of the contracting States to censor material in accordance with their own laws or to adopt measures to prohibit or limit the importation of material for reasons of public security or order.

#### **Article VI**

Each of the contracting States shall send to the United Nations Educational, Scientific and Cultural Organization a copy of each certificate which it issues to material originating within its own territory and shall inform the United Nations Educational, Scientific and Cultural Organization of the decisions taken and the reasons for any refusals in respect of certified materials from other contracting States for which entry is sought into its own territory. The United Nations Educational, Scientific and Cultural Organization shall communicate this information to all contracting States and shall maintain and publish in English and French catalogues of material showing all the certifications and decisions made in respect of them.

## **Article VII**

The contracting States undertake jointly to consider means of reducing to a minimum the restrictions that are not removed by the present Agreement which might interfere with the international circulation of the material referred to in Article I.

## **Article VIII**

Each contracting State shall communicate to the United Nations Educational, Scientific and Cultural Organization, within the period of six months following the coming into force of the present Agreement, the measures taken in their respective territories to ensure the execution of the provisions of the present Agreement. The United Nations Educational, Scientific and Cultural Organization shall communicate this information as it receives it to all contracting States.

## **Article IX**

1. All disputes arising out of the interpretation or application of the present Agreement between States which are both parties to the Statute of the International Court of Justice, except as to Articles IV and V, shall be referred to the International Court of Justice unless in any specific case it is agreed by the parties to have recourse to another mode of settlement.

2. If the contracting States between which a dispute has arisen are not parties or any one of them is not party to the Statute of the International Court of Justice, the dispute shall, if the States concerned so desire, be submitted, in accordance with the constitutional rules of each of them, to an arbitral tribunal established in conformity with the Convention for the Pacific Settlement of International Disputes signed at The Hague on 18 October 1907, or to any other arbitral tribunal.

## **Article X**

The present Agreement is open to acceptance by the signatory States. The instrument of acceptance shall be deposited with the Secretary-General of the United Nations who shall notify all the Members of the United Nations of each deposit and the date thereof.

## **Article XI**

1. On or after 1 January 1950 any Member of the United Nations not a signatory to the present Agreement, and any non-member State to which a certified copy of the present Agreement has been communicated by the Secretary-General of the United Nations, may accede to it.
2. The instrument of accession shall be deposited with the Secretary-General of the United Nations, who shall notify all the Members of the United Nations and the non-member States, referred to in the preceding paragraph, of each deposit and the date thereof.

## **Article XII**

1. The present Agreement shall come into force ninety days after the Secretary-General of the United Nations has received at least ten instruments of acceptance or accession in accordance with Article X or Article XI. As soon as possible thereafter the Secretary-General shall draw up a *procès-verbal* specifying the date on which, in accordance with this paragraph, the present Agreement shall have come into force.
2. In respect of each State on behalf of which an instrument of acceptance or accession is subsequently deposited, the present Agreement shall come into force ninety days after the date of the deposit of such instrument.
3. The present Agreement shall be registered with the Secretary-General of the United Nations on the day of its entry into force in accordance with Article 102 of the Charter and the regulations made thereunder by the General Assembly.

## **Article XIII**

1. The present Agreement may be denounced by any contracting State after the expiration of a period of three years from the date on which it comes into force in respect of that particular State.
2. The denunciation of the Agreement by any contracting States shall be effected by a written notification addressed by that State to the Secretary-General of the United Nations who shall notify all the Members of the United Nations and all non-member States referred

to in Article XI of each notification and the date of the receipt thereof.

3. The denunciation shall take effect one year after the receipt of the notification by the Secretary-General of the United Nations.

#### **Article XIV**

1. Any contracting State may declare, at the time of signature, acceptance, or accession, that in accepting the present Agreement it is not assuming any obligation in respect of all or any territories, for which such contracting State has international obligations. The present Agreement shall, in that case, not be applicable to the territories named in the declaration.

2. The contracting States in accepting the present Agreement do not assume responsibility in respect of any or all Non-self-governing Territories for which they are responsible but may notify the acceptance of the Agreement by any or all of such territories at the time of acceptance by such contracting States or at any time thereafter. The present Agreement shall, in such cases, apply to all the territories named in the notification ninety days after the receipt thereof by the Secretary-General of the United Nations.

3. Any contracting State may at any time after the expiration of the period of three years provided for in Article XIII declare that it desires the present Agreement to cease to apply to all or any territories for which such contracting State has international obligations or to any or all Non-self-governing Territories for which it is responsible. The present Agreement shall, in that case, cease to apply to the territories named in the declaration six months after the receipt thereof by the Secretary-General of the United Nations.

4. The Secretary-General of the United Nations shall communicate to all the Members of the United Nations and to all non-member States referred to in Article XI the declarations and notifications received in virtue of the present article, together with the dates of the receipt thereof.

#### **Article XV**

Nothing in this Agreement shall be deemed to prohibit the contracting States from entering into agreements or arrangements with the United Nations or any of its Specialized Agencies which would provide for facilities, exemptions, privileges or immunities with respect to material emanating from or sponsored by the United Nations or by any of its Specialized Agencies.

## Article XVI

The original of the present Agreement shall be deposited in the archives of the United Nations and shall be opened for signature at Lake Success on 15 July 1949 where it shall remain open for signature until 31 December 1949. Certified copies of the present Agreement shall be furnished by the Secretary-General of the United Nations to each of the Members of the United Nations and to such other governments as may be designated by agreement between the Economic and Social Council of the United Nations and the Executive Board of the United Nations Educational, Scientific and Cultural Organization.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having deposited their full powers found to be in due and proper form, sign the present Agreement in the English and French languages, each being equally authentic, on behalf of their respective governments, on the dates appearing opposite their respective signatures.

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### Protocol of signature

At the moment of signing the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character, the undersigned plenipotentiaries have agreed as follows:

1. The Secretary-General of the United Nations shall attach to the original text of the Agreement the model forms of certificates referred to in Article IV which are being submitted for approval to the States members of the United Nations Educational, Scientific and Cultural Organization, as soon as they are transmitted to him for that purpose by the Director-General of this Organization. The Secretary-General shall then draw up a *procès-verbal* to that effect and shall communicate to the governments of the States concerned a copy of the *procès-verbal* and of the model forms of certificates transmitted to him.


2. Pending the conclusion of the agreement referred to in Article XVI, the Secretary-General shall transmit certified true copies of the Agreement to the non-member States designated by the Execu-



tive Board of the United Nations Educational, Scientific and Cultural Organization.

IN FAITH WHEREOF the plenipotentiaries have signed the present Protocol in the English and French languages, each being equally authentic, on the dates appearing opposite their respective signatures.

## Model form of certificate

See instructions on reverse	ISSUING GOVERNMENT:	CERTIFICATE No.
<p><b>C E R T I F I C A T E</b></p> <p>Issued in accordance with Article IV of the  <b>AGREEMENT FOR FACILITATING THE INTERNATIONAL  CIRCULATION OF VISUAL AND AUDITORY MATERIALS OF AN  EDUCATIONAL, SCIENTIFIC AND CULTURAL CHARACTER</b></p>		
ISSUED TO:		
FULL POSTAL ADDRESS:		
1. Type of Material:		
2. Title:		
3. Language(s):		
4. Dimensions:		
5. Physical Description:		
6. Weight:	7. Year of Production:	
8. Producer or Producing Company (Name and Address):		
9. Subject Matter or Contents:		
<p><i>The Government of _____ certifies that the material described above is of an educational, scientific or cultural character within the terms of Article I of the Agreement cited above.</i></p>		
ISSUED AT :	 <p>Governmental Agency Official Stamp</p>	_____ Certifying Officer
DATE :		

## I N S T R U C T I O N S

ISSUED TO: *The name shall be that of the person or organization owning the right to reproduce the material.*

1. *Type of material:* i.e. film, filmstrip, microfilm, glass slides, models, wall charts, maps, posters or recordings.
2. *Title:* for films: in the case of unedited material give working title followed by (WT); in the case of retitled material give both original and new title.
3. *Language(s):* for films: in the case of subtitled film give language of both printed and spoken matter.
4. *Dimensions:*
  - (a) For films: number of reels; running time; length in feet or metres; 8 mm, 9.5 mm, 16 mm or 35 mm.
  - (b) For filmstrips: length in feet or metres; single or double frame; number of frames.
  - (c) For microfilms: single or double frame; number of pages or frames reproduced.
  - (d) For glass slides: number of slides; 2" × 2" (50 × 50 mm), 3 1/4" × 3 1/4" (83 × 83 mm) or 3 1/4" × 4" (83 × 100 mm).
  - (e) For models: number and dimensions.
  - (f) For wall charts, maps and posters: number and dimensions.
  - (g) For recordings: diameter or linear length; revolutions per minute (r.p.m.) or feet or metres per minute, playing speed; running time.
5. *Physical description:*
  - (a) For films: positive or negative, black and white or colour, silent or sound.
  - (b) For filmstrips: positive or negative, black and white or colour, silent or sound accompaniment.
  - (c) For glass slides: positive or negative, black and white or colour.
  - (d) For models: static or moving.
  - (e) For wall charts, maps and posters: black and white or colour; to be used in their actual form or as masters to make further copies.
  - (f) For recordings: disc, wire or tape; to be used in their actual form or as masters to make further copies.

# UNIVERSAL COPYRIGHT CONVENTION, 1952<sup>1</sup>

## Introduction

*Before the adoption of the Universal Copyright Convention, the various States could be divided into three categories according to the arrangements they had made for the regulation of their international relations in the field of copyright.*

- 1. The Member States of the International Union constituted by the Berne Convention for the Protection of Literary and Artistic Works.*
- 2. The States Parties to one or more Pan-American Conventions (Montevideo Convention (1889), Mexico City Convention (1902), Rio de Janeiro Convention (1906), Buenos Aires Convention (1910), Caracas Agreement (1911), Havana Convention (1928), Washington Convention (1946).*
- 3. The States which participated in no system for the international protection of copyright.*

*Desirous of drawing up a universal diplomatic instrument acceptable to all countries, the General Conference decided, at its second session (Mexico City, 1947) that the Organization should, with due regard to existing agreements, consider the problem of improving copyright on a worldwide basis.*

*The purpose of the Universal Convention is to establish a basis for conciliation between countries which have widely differing civilizations, cultures, legal systems and administrative practices, and sometimes conflicting interests, and to prescribe measures for achieving it.*

*This breadth of view has made it possible: (a) to establish stable and clearly defined relations, based on Conventions, between countries which have acceded to the Berne Convention for the Protection of Literary and Artistic Works and those of the American continent; (b) to establish a system acceptable to countries which have as yet acceded to no international copyright convention.*

*As to the main characteristics of this Convention, it should be noted that they are aimed at:*

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<sup>1</sup> Adopted in Geneva on 6 September 1952 by the Intergovernmental Copyright Conference convened by UNESCO.

1. *The introduction throughout the world of the principle of the assimilation of foreign authors to national authors;*
2. *The simplification of formalities, which are replaced by the printing on all copies of a published work of the symbol ©;*
3. *The introduction of special arrangements concerning translation rights;*
4. *Fixing a period covering the remainder of the author's life and twenty-five years following his death as the minimum duration of protection;*
5. *The inclusion of a saving clause in favour of the Berne Convention, the terms of which are governed by the 'Appendix Declaration relating to Article XVII'*

*The Universal Convention was deposited with the Director-General of UNESCO. It came into force on 16 September 1955.*

*Until 10 July 1974, when the Revised Universal Convention came into force, it was open to ratification, acceptance or accession by any State through the deposit of an instrument for that purpose with the Director-General of UNESCO. Since that date, no State has been able to accede solely to the 1952 Convention, but accession to the Revised Convention by a State not Party to the first Convention constitutes, in addition, accession to the latter.*

*The Convention is administered by an Intergovernmental Committee composed of twelve members elected from among the States Parties. Its duties are: (a) to study problems concerning either the application and operation of the Convention or the international protection of copyright; (b) to make preparation for the periodic revisions of this Convention;*

*The Secretariat of the Intergovernmental Committee is provided by UNESCO.*

*Protocol 1 annexed to the Universal Copyright Convention concerning the application of that Convention to works of stateless persons and refugees stipulates that, in respect of copyright protection, stateless persons and refugees who have their habitual residence in a State Party to the Protocol shall be assimilated to the nationals of that State.*

*It is subject to separate ratification, acceptance or accession by the States Parties to the Convention.*

*It came into force on 16 September 1955.*

*Protocol 2 annexed to the Universal Copyright Convention concerning the application of that Convention to the works of certain international organizations extends the protection provided for in the Universal Convention to works published for the first time by the United Nations, by the Specialized Agencies in relationship therewith, or by the Organization of American States.*

*It is subject to separate ratification, acceptance or accession by the States Parties to the Convention.*

*It came into force on 16 September 1955.*

*Protocol 3 annexed to the Universal Copyright convention concerning conditional ratification or accession enables a Contracting State to make its becoming a Party to the convention dependent on another State, named in its notification, also becoming a Party thereto.*

*It is subject to separate ratification, acceptance or accession by States Parties to the convention.*

*It came into force on 19 August 1954.*

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The Contracting States,

*Moved* by the desire to assure in all countries copyright protection of literary, scientific and artistic works,

*Convinced* that a system of copyright protection appropriate to all nations of the world and expressed in a universal convention, additional to, and without impairing international systems already in force, will ensure respect for the rights of the individual and encourage the development of literature, the sciences and the arts,

*Persuaded* that such a universal copyright system will facilitate a wider dissemination and increase international understanding.

Have agreed as follows:

### **Article I**

Each Contracting State undertakes to provide for the adequate and effective protection of the rights of authors and other copyright proprietors in literary, scientific and artistic works, including writings, musical, dramatic and cinematographic works, and paintings, engravings and sculpture.

### **Article II**

1. Published works of nationals of any Contracting State and works first published in that State shall enjoy in each other Contracting State the same protection as that other State accords to works of its nationals first published in its own territory.

2. Unpublished works of nationals of each Contracting State shall enjoy in each other Contracting State the same protection as that other State accords to unpublished works of its own nationals.

3. For the purpose of this Convention any Contracting State may, by domestic legislation, assimilate to its own nationals any person domiciled in that State.

### **Article III**

1. Any Contracting State which, under its domestic law, requires as a condition of copyright, compliance with formalities such as deposit, registration, notice, notarial certificates, payment of fees or manufacture or publication in that Contracting State, shall regard these requirements as satisfied with respect to all works protected in accordance with this Convention and first published outside its territory and the author of which is not one of its nationals, if from the time of the first publication all the copies of the work published with the authority of the author or other copyright proprietor bear the symbol O accompanied by the name of the copyright proprietor and the year of first publication placed in such manner and location as to give reasonable notice of claim of copyright.

2. The provisions of paragraph I of this article shall not preclude any Contracting State from requiring formalities or other conditions for the acquisition and enjoyment of copyright in respect of works first published in its territory or works of its nationals wherever published.

3. The provisions of paragraph I of this article shall not preclude any Contracting State from providing that a person seeking judicial relief must, in bringing the action, comply with procedural requirements, such as that the complainant must appear through domestic counsel or that the complainant must deposit with the court or an administrative office, or both, a copy of the work involved in the litigation; provided that failure to comply with such requirements shall not affect the validity of the copyright, nor shall any such requirement be imposed upon a national of another Contracting State if such requirement is not imposed on nationals of the State in which protection is claimed.

4. In each Contracting State there shall be legal means of protecting without formalities the unpublished works of nationals of other Contracting States.

5. If a Contracting State grants protection for more than one term of copyright and the first term is for a period longer than one of the minimum periods prescribed in Article IV, such State shall not be required to comply with the provisions of paragraph 1 of this Article III in respect of the second or any subsequent term of copyright.

#### **Article IV**

1. The duration of protection of a work shall be governed, in accordance with the provisions of Article II and this article, by the law of the Contracting State in which protection is claimed.

2. The term of protection for works protected under this Convention shall not be less than the life of the author and twenty-five years after his death.

However, any Contracting State which, on the effective date of this Convention in that State, has limited this term for certain classes of works to a period computed from the first publication of the work, shall be entitled to maintain these exceptions and to extend them to other classes of works. For all these classes the term of protection shall not be less than twenty-five years from the date of first publication.

Any Contracting State which, upon the effective date of this Convention in that State, does not compute the term of protection upon the basis of the life of the author, shall be entitled to compute the term of protection from the date of the first publication of the work or from its registration prior to publication, as the case may be, provided the term of protection shall not be less than twenty-five years from the date of first publication or from its registration prior to publication, as the case may be.

If the legislation of a Contracting State grants two or more successive terms of protection, the duration of the first shall not be less than one of the minimum periods specified above.

3. The provisions of paragraph 2 of this article shall not apply to photographic works or to works of applied art; provided, however, that the term of protection in those Contracting States which protect photographic works, or works of applied art in so far as they are protected as artistic works, shall not be less than ten years for each of said classes of works.

4. No Contracting State shall be obliged to grant protection to a work for a period longer than that fixed for the class of works to which the work in question belongs, in the case of unpublished works by the law of the Contracting State of which the author is a



national, and in the case of published works by the law of the Contracting State in which the work has been first published.

For the purposes of the application of the preceding provision, if the law of any Contracting State grants two or more successive terms of protection, the period of protection of that State shall be considered to be the aggregate of those terms. However, if a specified work is not protected by such State during the second or any subsequent term for any reason, the other Contracting States shall not be obliged to protect it during the second or any subsequent term

5. For the purposes of the application of paragraph 4 of this article, the work of a national of a Contracting State, first published in a non-Contracting State, shall be treated as though first published in the Contracting State of which the author is a national

6. For the purposes of the application of paragraph 4 of this article, in case of simultaneous publication in two or more Contracting States, the work shall be treated as though first published in the State which affords the shortest term; any work published in two or more Contracting States within thirty days of its first publication shall be considered as having been published simultaneously in said Contracting States.

#### **Article V**

1. Copyright shall include the exclusive right of the author to make, publish, and authorize the making and publication of translations of works protected under this Convention.

2. However, any Contracting State may, by its domestic legislation, restrict the right of translation of writings, but only subject to the following provisions:

If, after the expiration of a period of seven years from the date of the first publication of a writing, a translation of such writing has not been published in the national language or languages, as the case may be, of the Contracting State, by the owner of the right of translation or with his authorization, any national of such Contracting State may obtain a non-exclusive licence from the competent authority thereof to translate the work and publish the work so translated in any of the national languages in which it has not been published; provided that such national, in accordance with the procedure of the State concerned, establishes either that he has requested, and been denied, authorization by the proprietor of the right to make and publish the translation, or that, after due diligence on his part, he was unable to find the owner of the right. A licence

may also be granted on the same conditions if all previous editions of a translation in such language are out of print.

If the owner of the right of translation cannot be found, then the applicant for a licence shall send copies of his application to the publisher whose name appears on the work and, if the nationality of the owner of the right of translation is known, to the diplomatic or consular representative of the State of which such owner is a national, or to the organization which may have been designated by the government of that State. The licence shall not be granted before the expiration of a period of two months from the date of the dispatch of the copies of the application.

Due provision shall be made by domestic legislation to assure to the owner of the right of translation a compensation which is just and conforms to international standards, to assure payment and transmittal of such compensation, and to assure a correct translation of the work.

The original title and the name of the author of the work shall be printed on all copies of the published translation. The licence shall be valid only for publication of the translation in the territory of the Contracting State where it has been applied for. Copies so published may be imported and sold in another Contracting State if one of the national languages of such other State is the same language as that into which the work has been so translated, and if the domestic law in such other State makes provision for such licences and does not prohibit such importation and sale. Where the foregoing conditions do not exist, the importation and sale of such copies in a Contracting State shall be governed by its domestic law and its agreements. The licence shall not be transferred by the licensee.

The licence shall not be granted when the author has withdrawn from circulation all copies of the work.

## **Article VI**

'Publication', as used in this Convention, means the reproduction in tangible form and the general distribution to the public of copies of a work from which it can be read or otherwise visually perceived.

## **Article VII**

This Convention shall not apply to works or rights in works which, at the effective date of the Convention in a Contracting State where protection is claimed, are permanently in the public domain in the said Contracting State.

### **Article VIII**

1. This Convention, which shall bear the date of 6 September 1952, shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization and shall remain open for signature by all States for a period of 120 days after that date. It shall be subject to ratification or acceptance by the signatory States.
2. Any State which has not signed this Convention may accede thereto.
3. Ratification, acceptance or accession shall be effected by the deposit of an instrument to that effect with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

### **Article IX**

1. This Convention shall come into force three months after the deposit of twelve instruments of ratification, acceptance or accession, among which there shall be those of four States which are not members of the International Union for the Protection of Literary and Artistic works
2. Subsequently, this Convention shall come into force in respect of each State three months after that State has deposited its instrument of ratification, acceptance or accession.

### **Article X**

1. Each State party to this Convention undertakes to adopt, in accordance with its Constitution, such measures as are necessary to ensure the application of this Convention.
2. It is understood, however, that at the time an instrument of ratification, acceptance or accession is deposited on behalf of any State, such State must be in a position under its domestic law to give effect to the terms of this Convention.

### **Article XI**

1. An Intergovernmental Committee is hereby established with the following duties:
  - (a) to study the problems concerning the application and operation of this Convention;

- (b) to make preparation for periodic revisions of this Convention;
- (c) to study any other problems concerning the international protection of copyright, in co-operation with the various interested international organizations, such as the United Nations Educational, Scientific and Cultural Organization, the International Union for the Protection of Literary and Artistic Works and the Organization of American States;
- (d) to inform the Contracting States as to its activities.

2. The Committee shall consist of the representatives of twelve Contracting States to be selected with due consideration to fair geographical representation and in conformity with the Resolution relating to this article, annexed to this Convention.

The Director-General of the United Nations Educational, Scientific and Cultural Organization, the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works and the Secretary-General of the Organization of American States, or their representatives, may attend meetings of the Committee in an advisory capacity.

### **Article XII**

The Intergovernmental Committee shall convene a conference for revision of this Convention whenever it deems necessary, or at the request of at least ten Contracting States, or of a majority of the Contracting States if there are less than twenty Contracting States.

### **Article XIII**

Any Contracting State may, at the time of deposit of its instrument of ratification, acceptance or accession, or at any time thereafter, declare by notification addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization that this Convention shall apply to all or any of the countries or territories for the international relations of which it is responsible and this Convention shall thereupon apply to the countries or territories named in such notification after the expiration of the term of three months provided for in Article IX. In the absence of such notification, this Convention shall not apply to any such country or territory.

### **Article XIV**

1. Any Contracting State may denounce this Convention in its own name or on behalf of all or any of the countries or territories as to which a notification has been given under Article XIII. The

denunciation shall be made by notification addressed to the Director-General of the United Nations Educational, Scientific and Cultural Organization.

2. Such denunciation shall operate only in respect of the State or of the country or territory on whose behalf it was made and shall not take effect until twelve months after the date of receipt of the notification.

### **Article XV**

A dispute between two or more Contracting States concerning the interpretation or application of this Convention, not settled by negotiation, shall, unless the States concerned agree on some other method of settlement, be brought before the International Court of Justice for determination by it.

### **Article XVI**

1. This Convention shall be established in English, French and Spanish. The three texts shall be signed and shall be equally authoritative.

2. Official texts of this Convention shall be established in German, Italian and Portuguese.

Any Contracting State or group of Contracting States shall be entitled to have established by the Director-General of the United Nations Educational, Scientific and Cultural Organization other texts in the language of its choice by arrangement with the Director-General.

All such texts shall be annexed to the signed texts of this Convention.

### **Article XVII**

1. This Convention shall not in any way affect the provisions of the Berne Convention for the Protection of Literary and Artistic Works or membership in the Union created by that Convention.

2. In application of the foregoing paragraph, a Declaration has been annexed to the present article. This Declaration is an integral part of this Convention for the States bound by the Berne Convention on 1 January 1951, or which have or may become bound to it at a later date. The signature of this Convention by such States shall also constitute signature of the said Declaration, and ratification,

acceptance or accession by such States shall include the Declaration as well as the Convention.

### **Article XVIII**

This Convention shall not abrogate multilateral or bilateral copyright conventions or arrangements that are or may be in effect exclusively between two or more American Republics. In the event of any difference either between the provisions of such existing conventions or arrangements and the provisions of this Convention, or between the provisions of this Convention and those of any new convention or arrangement which may be formulated between two or more American Republics after this Convention comes into force, the convention or arrangement most recently formulated shall prevail between the parties thereto. Rights in works acquired in any Contracting State under existing conventions or arrangements before the date this Convention comes into force in such State shall not be affected.

### **Article XIX**

This Convention shall not abrogate multilateral or bilateral conventions or arrangements in effect between two or more Contracting States. In the event of any difference between the provisions of such existing conventions or arrangements and the provisions of this Convention, the provisions of this Convention shall prevail. Rights in works acquired in any Contracting State under existing conventions or arrangements before the date on which this Convention comes into force in such State shall not be affected. Nothing in this article shall affect the provisions of Articles XVII and XVIII of this Convention.

### **Article XX**

Reservations to this Convention shall not be permitted.

### **Article XXI**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall send duly certified copies of this Convention to the States interested, to the Swiss Federal Council and to the Secretary-General of the United Nations for registration by him.

He shall also inform all interested States of the ratifications, acceptances and accessions which have been deposited, the date on which this Convention comes into force, the notifications under

Article XIII of this Convention, and denunciations under Article XIV.

### **Appendix declaration relating to Article XVII**

The States which are members of the International Union for the Protection of Literary and Artistic Works, and which are signatories to the Universal Copyright Convention,

Desiring to reinforce their mutual relations on the basis of the said Union and to avoid any conflict which might result from the co-existence of the Convention of Berne and the Universal Convention,

Have, by common agreement, accepted the terms of the following declaration:

- (a) Works which, according to the Berne Convention, have as their country of origin a country which has withdrawn from the International Union created by the said Convention, after 1 January 1951, shall not be protected by the Universal Copyright Convention in the countries of the Berne Union;
- (b) The Universal Copyright Convention shall not be applicable to the relationships among countries of the Berne Union insofar as it relates to the protection of works having as their country of origin, within the meaning of the Berne Convention, a country of the International Union created by the said Convention.

### **Resolution concerning Article XI**

The Intergovernmental Copyright Conference,

Having considered the problems relating to the Intergovernmental Committee provided for in Article XI of the Universal Copyright Convention,

Resolves:

1. The first members of the Committee shall be representatives of the following twelve States, each of those States designating one representative and an alternate: Argentine, Brazil, France, Germany, India, Italy, Japan, Mexico, Spain, Switzerland, United Kingdom, and United States of America.
2. The Committee shall be constituted as soon as the Convention comes into force in accordance with Article XI of this Convention.

3. The Committee shall elect its Chairman and one Vice-Chairman. It shall establish its rules of procedure having regard to the following principles:

- (a) the normal duration of the term of office of the representatives shall be six years; with one third retiring every two years;
- (b) before the expiration of the term of office of any members, the Committee shall decide which States shall cease to be represented on it and which States shall be called upon to designate representatives; the representatives of those States which have not ratified, accepted or acceded shall be the first to retire;
- (c) the different parts of the world shall be fairly represented;

and expresses the wish

that the United Nations Educational, Scientific and Cultural Organization provide its Secretariat.

IN FAITH WHEREOF the undersigned, having deposited their respective full powers, have signed this Convention.

Done at Geneva, this sixth day of September 1952 in a single copy.

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**Protocol 1 annexed to the Universal Copyright Convention concerning the application of that Convention to the works of stateless persons and refugees**

The States parties hereto, being also parties to the Universal Copyright Convention (hereinafter referred to as the 'Convention') have accepted the following provisions:

1. Stateless persons and refugees who have their habitual residence in a State party to this Protocol shall, for the purposes of the Convention, be assimilated to the nationals of that State.
2. (a) This Protocol shall be signed and shall be subject to ratification or acceptance, or may be acceded to, as if the provisions of Article VIII of the Convention applied hereto.  
(b) This Protocol shall enter into force in respect of each State, on the date of deposit of the instrument of ratification,



acceptance or accession of the State concerned or on the date of entry into force of the Convention with respect to such States whichever is the later.

IN FAITH WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Geneva this sixth day of September 1952, in the English, French and Spanish languages, the three texts being equally authoritative, in a single copy which shall be deposited with the Director-General of UNESCO. The Director-General shall send certified copies to the signatory States, to the Swiss Federal Council and to the Secretary-General of the United Nations for registration.

\*\*\*

**Protocol 2 annexed to the Universal Copyright Convention, concerning the application of that Convention to the works of certain international organizations**

The State parties hereto, being also parties to the Universal Copyright Convention (hereinafter referred to as the 'Convention'),

Have accepted the following provisions:

1. (a) The protection provided for in Article II (I) of the Convention shall apply to works published for the first time by the United Nations, by the Specialized Agencies in relationship therewith, or by the Organization of American States;

(b) Similarly, Article II (2) of the Convention shall apply to the said organization or agencies.

2. (a) This Protocol shall be signed and shall be subject to ratification or acceptance, or may be acceded to, as if the provisions of Article VIII of the Convention applied hereto.

(b) This Protocol shall enter into force for each State on the date of deposit of the instrument of ratification, acceptance or accession of the State concerned or on the date of entry into force of the Convention with respect to such State, whichever is the later.

IN FAITH WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Geneva, this sixth day of September 1952, in the English, French and Spanish languages, the three texts being equally authoritative, in a single copy which shall be deposited with the Director-General of UNESCO.

The Director-General shall send certified copies to the signatory States, to the Swiss Federal Council, and to the Secretary-General of the United Nations for registration.

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**Protocol 3 annexed to the Universal Copyright Convention concerning the effective date of instruments of ratification or acceptance of or accession to that Convention**

States parties hereto,

Recognizing that the application of the Universal Copyright Convention (hereinafter referred to as the 'Convention') to States participating in all the international copyright systems already in force will contribute greatly to the value of the Convention;

Have agreed as follows:

1. Any State party hereto may, on depositing its instrument of ratification or acceptance of or accession to the Convention, notify the Director-General of the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as 'Director-General') that that instrument shall not take effect for the purposes of Article IX of the Convention until any other State named in such notification shall have deposited its instrument
2. The notification referred to in paragraph I above shall accompany the instrument to which it relates.
3. The Director-General shall inform all States signatory or which have then acceded to the Convention of any notifications received in accordance with this Protocol.

4. This Protocol shall bear the same date and shall remain open for signature for the same period as the Convention.

5. It shall be subject to ratification or acceptance by the signatory States. Any State which has not signed this Protocol may accede thereto.

6. (a) Ratification or acceptance or accession shall be effected by the deposit of an instrument to that effect with the Director-General.

(b) This Protocol shall enter into force on the date of deposit of not less than four instruments of ratification or acceptance or accession. The Director-General shall inform all interested States of this date. Instruments deposited after such date shall take effect on the date of their deposit.

IN FAITH WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Geneva, the sixth day of September 1952, in the English, French and the Spanish languages, the three texts being equally authoritative, in a single copy which shall be annexed to the original copy of the Convention. The Director-General shall send certified copies to the signatory States, to the Swiss Federal Council, and to the Secretary-General of United Nations for registration.

**INTERNATIONAL CONVENTION FOR THE  
PROTECTION OF PERFORMERS, PRODUCERS OF  
PHONOGRAMS AND BROADCASTING ORGANISATIONS  
(THE « ROME CONVENTION »), 1961<sup>1</sup>**

**Introduction**

Rationale

*The idea of protecting performers took shape in the period following the First World War, owing to the development of new technical media that facilitate the use of the performances of such artists through phonograms or broadcasting.*

*The protection of performances accordingly necessitated the preparation of a special instrument designed to offset the fact that in ordinary law there were no standards applicable to the circumstances which had arisen as a corollary to the immediate activities of the performer as a person hiring out his services, or as a corollary to the activities common to any hiring out of services.*

*The manufacturers of phonograms, for their part, who need to make a considerable capital outlay in order to produce a gramophone record, expressed the desire for a specific instrument granting them, in addition to protection against illicit reproduction of their phonograms, the right to equitable remuneration in the event of broadcasting or any other method of communication to the public of their phonograms.*

*During the same period, the broadcasting organizations, which consider that their broadcasts to the public also necessitate a considerable capital investment, together with a vast amount of technical and artistic work, also called for the preparation of a special instrument protecting their broadcasts against unlawful rebroadcast effected by another broadcasting organization.*

*The Convention covers, in a single instrument, the protection of performers, producers of phonograms and broadcasting organizations.*

*The protection provided under this convention differs, however, according to whether it is to be granted to artists or to producers of phonograms and broadcasting organizations.*

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<sup>1</sup> Adopted in Rome on 26 October 1961 by the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms, and Broadcasting Organizations, convened by ILO, UNESCO and the International Union for the Protection of Literary and Artistic Works.

*For the former the protection includes the possibility of preventing certain uses of their performances without their consent and subject to certain conditions, while the latter enjoy the exclusive right to 'authorize or prohibit.*

*The term of such protection lasts at least until the end of a period of twenty years. The Convention further makes provision for a full system of reservations and options.*

*The Convention contains a clause whereby States wishing to accede to it must be parties to the Universal Copyright Convention or to the Berne Convention for the Protection of Literary and Artistic Works.*

## Administration

*The Rome Convention is administered by an Intergovernmental Committee whose secretariat is provided jointly by ILO, UNESCO and BIRPI (United International Bureaux for the Protection of Intellectual Property), which has since become WIPO.*

*The duties of the Committee are: (a) to study questions concerning the application and operation of the Convention; (b) to collect proposals and prepare documentation for possible revision of the Convention.*

*The Convention came into force on 18 May 1964.*

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The Contracting States, moved by the desire to protect the rights of performers, producers of phonograms, and broadcasting organisations,

Have agreed as follows:

### Article 1

Protection granted under this Convention shall leave intact and shall in no way affect the protection of copyright in literary and artistic works. Consequently, no provision of this Convention may be interpreted as prejudicing such protection.

### Article 2

1. For the purposes of this Convention, national treatment shall mean the treatment accorded by the domestic law of the Contracting State in which protection is claimed:

- (a) to performers who are its nationals, as regards performances taking place, broadcast, or first fixed, on its territory;
- (b) to producers of phonograms who are its nationals, as regards phonograms first fixed or first published on its territory;
- (c) to broadcasting organisations which have their headquarters on its territory, as regards broadcasts transmitted from transmitters situated on its territory.

2. National treatment shall be subject to the protection specifically guaranteed, and the limitations specifically provided for, in this Convention.

### **Article 3**

For the purposes of this Convention:

- (a) 'Performers' means actors, singers, musicians, dancers, and other persons who act, sing, deliver, declaim, play in, or otherwise perform literary or artistic works;
- (b) 'Phonogram' means any exclusively aural fixation of sounds of a performance or of other sounds;
- (c) 'Producer of phonograms' means the person who, or the legal entity which, first fixes the sounds of a performance or other sounds;
- (d) 'Publication' means the offering of copies of a phonogram to the public in reasonable quantity;
- (e) 'Reproduction' means the making of a copy or copies of a fixation;
- (f) 'Broadcasting' means the transmission by wireless means for public reception of sounds or of images and sounds;
- (g) 'Rebroadcasting' means the simultaneous broadcasting by one broadcasting organisation of the broadcast of another broadcasting organisation.

### **Article 4**

Each Contracting State shall grant national treatment to performers if any of the following conditions is met:

- (a) the performance takes place in another Contracting State;
- (b) the performance is incorporated in a phonogram which is protected under Article 5 of this Convention;
- (c) the performance, not being fixed on a phonogram, is carried by a broadcast which is protected by Article 6 of this Convention.

## **Article 5**

1. Each Contracting State shall grant national treatment to producers of phonograms if any of the following conditions is met:
  - (a) the producer of the phonogram is a national of another Contracting State (criterion of nationality);
  - (b) the first fixation of the sound was made in another Contracting State (criterion of fixation);
  - (c) the phonogram was first published in another Contracting State (criterion of publication).
2. If a phonogram was first published in a non-contracting State but if it was also published, within thirty days of its first publication, in a Contracting State (simultaneous publication), it shall be considered as first published in the Contracting State.
3. By means of a notification deposited with the Secretary-General of the United Nations, any Contracting State may declare that it will not apply the criterion of publication or, alternatively, the criterion of fixation. Such notification may be deposited at the time of ratification, acceptance or accession, or at any time thereafter; in the last case, it shall become effective six months after it has been deposited.

## **Article 6**

1. Each Contracting State shall grant national treatment to broadcasting organisations if either of the following conditions is met:
  - (a) the headquarters of the broadcasting organisation is situated in another Contracting State;
  - (b) the broadcast was transmitted from a transmitter situated in another Contracting State.
2. By means of a notification deposited with the Secretary-General of the United Nations, any Contracting State may declare that it will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State. Such notification may be deposited at the time of ratification, acceptance or accession, or at any time thereafter; in the last case, it shall become effective six months after it has been deposited.

## Article 7

1. The protection provided for performers by this Convention shall include the possibility of preventing:

- (a) the broadcasting and the communication to the public, without their consent, of their performance, except where the performance used in the broadcasting or the public communication is itself already a broadcast performance or is made from a fixation;
- (b) the fixation, without their consent, of their unfixed performance;
- (c) the reproduction, without their consent, of a fixation of their performance:
  - (i) if the original fixation itself was made without their consent;
  - (ii) if the reproduction is made for purposes different from those for which the performers gave their consent;
  - (iii) if the original fixation was made in accordance with the provisions of Article 15, and the reproduction is made for purposes different from those referred to in those provisions.

2. (1) If broadcasting was consented to by the performers, it shall be a matter for the domestic law of the Contracting State where protection is claimed to regulate the protection against rebroadcasting, fixation for broadcasting purposes, and the reproduction of such fixation for broadcasting purposes.

(2) The terms and conditions governing the use by broadcasting organisations of fixations made for broadcasting purposes shall be determined in accordance with the domestic law of the Contracting State where protection is claimed.

(3) However, the domestic law referred to in sub-paragraphs (1) and (2) of this paragraph shall not operate to deprive performers of the ability to control, by contract, their relations with broadcasting organisations.

## Article 8

Any Contracting State may, by its domestic laws and regulations, specify the manner in which performers will be represented in connexion with the exercise of their rights if several of them participate in the same performance.



## **Article 9**

Any Contracting State may, by its domestic laws and regulations, extend the protection provided for in this Convention to artistes who do not perform literary or artistic works.

## **Article 10**

Producers of phonograms shall enjoy the right to authorise or prohibit the direct or indirect reproduction of their phonograms.

## **Article 11**

If, as a condition of protecting the rights of producers of phonograms, or of performers, or both, in relation to phonograms, a Contracting State, under its domestic law, requires compliance with formalities, these shall be considered as fulfilled if all the copies in commerce of the published phonogram or their containers bear a notice consisting of the symbol  $\text{P}$ , accompanied by the year date of the first publication, placed in such a manner as to give reasonable notice of claim of protection; and if the copies or their containers do not identify the producer or the licensee of the producer (by carrying his name, trade mark or other appropriate designation), the notice shall also include the name of the owner of the rights of the producer; and, furthermore, if the copies or their containers do not identify the principal performers, the notice shall also include the name of the person who, in the country in which the fixation was effected, owns the rights of such performers.

## **Article 12**

If a phonogram published for commercial purposes, or a reproduction of such phonogram, is used directly for broadcasting or for any communication to the public, a single equitable remuneration shall be paid by the user to the performers, or to the producers of the phonograms, or to both. Domestic law may, in the absence of agreement between these parties, lay down the conditions as to the sharing of this remuneration.

## **Article 13**

Broadcasting organisations shall enjoy the right to authorise or prohibit:

- (a) the rebroadcasting of their broadcasts;
- (b) the fixation of their broadcasts;

- (c) the reproduction:
  - (i) of fixations, made without their consent, of their broadcasts;
  - (ii) of fixations, made in accordance with the provisions of Article 15, of their broadcasts, if the reproduction is made for purposes different from those referred to in those provisions;
- (d) the communication to the public of their television broadcasts if such communication is made in places accessible to the public against payment of an entrance fee; it shall be a matter for the domestic law of the State where protection of this right is claimed to determine the conditions under which it may be exercised.

#### **Article 14**

The term of protection to be granted under this Convention shall last at least until the end of a period of twenty years computed from the end of the year in which:

- (a) the fixation was made—for phonograms and for performances incorporated therein;
- (b) the performance took place—for performances not incorporated in phonograms;
- (c) the broadcast took place—for broadcasts.

#### **Article 15**

1. Any Contracting State may, in its domestic laws and regulations, provide for exceptions to the protection guaranteed by this Convention as regards:

- (a) private use;
- (b) use of short excerpts in connexion with the reporting of current events;
- (c) ephemeral fixation by a broadcasting organisation by means of its own facilities and for its own broadcasts;
- (d) use solely for the purposes of teaching or scientific research.

2. Irrespective of paragraph I of this Article, any Contracting State may, in its domestic laws and regulations, provide for the same kinds of limitations with regard to the protection of performers, producers of phonograms and broadcasting organisations, as it provides for, in its domestic laws and regulations, in connexion with the protection of copyright in literary and artistic works. However, compulsory licences may be provided for only to the extent to which they are compatible with this Convention.

## Article 16

1. Any State, upon becoming party to this Convention, shall be bound by all the obligations and shall enjoy all the benefits thereof. However, a State may at any time, in a notification deposited with the Secretary-General of the United Nations, declare that:

- (a) as regards Article 12:
  - (i) it will not apply the provisions of that Article;
  - (ii) it will not apply the provisions of that Article in respect of certain uses;
  - (iii) as regards phonograms the producer of which is not a national of another Contracting State, it will not apply that Article;
  - (iv) as regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by that Article to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of the State making the declaration; however, the fact that the Contracting State of which the producer is a national does not grant the protection to the same beneficiary or beneficiaries as the State making the declaration shall not be considered as a difference in the extent of the protection;
- (b) as regards Article 13, it will not apply item (d) of that Article; if a Contracting State makes such a declaration, the other Contracting States shall not be obliged to grant the right referred to in Article 13, item (d), to broadcasting organisations whose headquarters are in that State.

2. If the notification referred to in paragraph 1 of this Article is made after the date of the deposit of the instrument of ratification, acceptance or accession, the declaration will become effective six months after it has been deposited.

## Article 17

Any State which, on October 26, 1961, grants protection to producers of phonograms solely on the basis of the criterion of fixation may, by a notification deposited with the Secretary-General of the United Nations at the time of ratification, acceptance or accession, declare that it will apply, for the purposes of Article 5, the criterion of fixation alone and, for the purposes of paragraph 1 (a) (iii) and (iv) of Article 16, the criterion of fixation instead of the criterion of nationality.

### **Article 18**

Any State which has deposited a notification under paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph I of Article 16 or Article 17, may, by a further notification deposited with the Secretary-General of the United Nations, reduce its scope or withdraw it.

### **Article 19**

Notwithstanding anything in this Convention, once a performer has consented to the incorporation of his performance in a visual or audio-visual fixation, Article 7 shall have no further application.

### **Article 20**

1. This Convention shall not prejudice rights acquired in any Contracting State before the date of coming into force of this Convention for that State.
2. No Contracting State shall be bound to apply the provisions of this Convention to performances or broadcasts which took place, or to phonograms which were fixed, before the date of coming into force of this Convention for that State.

### **Article 21**

The protection provided for in this Convention shall not prejudice any protection otherwise secured to performers, producers of phonograms and broadcasting organizations.

### **Article 22**

Contracting States reserve the right to enter into special agreements among themselves in so far as such agreements grant to performers, producers of phonograms or broadcasting organisations more extensive rights than those granted by this Convention or contain other provisions not contrary to this Convention.

### **Article 23**

This Convention shall be deposited with the Secretary-General of the United Nations. It shall be open until June 30, 1962 for signature by any State invited to the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms

and Broadcasting Organisations which is a party to the Universal Copyright Convention or a member of the International Union for the Protection of Literary and Artistic Works.

#### **Article 24**

1. This Convention shall be subject to ratification or acceptance by the signatory States.
2. This Convention shall be open for accession by any State invited to the Conference referred to in Article 23, and by any State Member of the United Nations, provided that in either case such State is a party to the Universal Copyright Convention or a member of the International Union for the Protection of Literary and Artistic Works.
3. Ratification, acceptance or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the United Nations.

#### **Article 25**

1. This Convention shall come into force three months after the date of deposit of the sixth instrument of ratification, acceptance or accession.
2. Subsequently, this Convention shall come into force in respect of each State three months after the date of deposit of its instrument of ratification, acceptance or accession

#### **Article 26**

1. Each Contracting State undertakes to adopt, in accordance with its Constitution, the measures necessary to ensure the application of this Convention.
2. At the time of deposit of its instrument of ratification, acceptance or accession, each State must be in a position under its domestic law to give effect to the terms of this Convention.

#### **Article 27**

1. Any State may, at the time of ratification, acceptance or accession, or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Convention shall extend to all or any of the territories for whose

international relations it is responsible, provided that the Universal Copyright Convention or the International Convention for the Protection of Literary and Artistic Works applies to the territory or territories concerned. This notification shall take effect three months after the date of its receipt.

2. The notifications referred to in paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph 2 of Article 16 and Articles 17 and 18, may be extended to cover all or any of the territories referred to in paragraph I of this Article.

### **Article 28**

1. Any Contracting State may denounce this Convention, on its own behalf, or on behalf of all or any of the territories referred to in Article 27.

2. The denunciation shall be effected by a notification addressed to the Secretary-General of the United Nations and shall take effect twelve months after the date of receipt of the notification.

3. The right of denunciation shall not be exercised by a Contracting State before the expiry of a period of five years from the date on which the Convention came into force with respect to that State.

4. A Contracting State shall cease to be a party to this Convention from that time when it is neither a party to the Universal Copyright Convention nor a member of the International Union for the Protection of Literary and Artistic Works.

5. This Convention shall cease to apply to any territory referred to in Article 27 from that time when neither the Universal Copyright Convention nor the International Convention for the Protection of Literary and Artistic Works applies to that territory.

### **Article 29**

1. After this Convention has been in force for five years, any Contracting State may, by notification addressed to the Secretary-General of the United Nations, request that a conference be convened for the purpose of revising the Convention. The Secretary-General shall notify all Contracting States of this request. If, within a period of six months following the date of notification by the Secretary-General of the United Nations, not less than one half of the Contracting States notify him of their concurrence with the request, the Secretary-General shall inform the Director-General of

the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works, who shall convene a revision conference in co-operation with the Intergovernmental Committee provided for in Article 32.

2. The adoption of any revision of this Convention shall require an affirmative vote by two-thirds of the States attending the revision conference, provided that this majority includes two-thirds of the States which, at the time of the revision conference, are parties to the Convention.

3. In the event of adoption of a Convention revising this Convention in whole or in part, and unless the revising Convention provides otherwise:

- (a) this Convention shall cease to be open to ratification, acceptance or accession as from the date of entry into force of the revising Convention;
- (b) this Convention shall remain in force as regards relations between or with Contracting States which have not become parties to the revising Convention.

### **Article 30**

Any dispute which may arise between two or more Contracting States concerning the interpretation or application of this Convention and which is not settled by negotiation shall, at the request of any one of the parties to the dispute, be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

### **Article 31**

Without prejudice to the provisions of paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph 1 of Article 16 and Article 17, no reservation may be made to this Convention.

### **Article 32**

1. An Intergovernmental Committee is hereby established with the following duties:

- (a) to study questions concerning the application and operation of this Convention; and
- (b) to collect proposals and to prepare documentation for possible revision of this Convention.

2. The Committee shall consist of representatives of the Contracting States, chosen with due regard to equitable geographical distribution. The number of members shall be six if there are twelve Contracting States or less, nine if there are thirteen to eighteen Contracting States and twelve if there are more than eighteen Contracting States.

3. The Committee shall be constituted twelve months after the Convention comes into force by an election organised among the Contracting States, each of which shall have one vote, by the Director-General of the International Labour Office, the Director-General of the United Nations Educational Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works, in accordance with rules previously approved by a majority of all Contracting States.

4. The Committee shall elect its Chairman and officers. It shall establish its own rules of procedure. These rules shall in particular provide for the future operation of the Committee and for a method of selecting its members for the future in such a way as to ensure rotation among the various Contracting States.

5. Officials of the International Labour Office, the United Nations Educational, Scientific and Cultural Organization and the Bureau of the International Union for the Protection of Literary and Artistic Works, designated by the Directors-General and the Director thereof, shall constitute the Secretariat of the Committee.

6. Meetings of the Committee, which shall be convened whenever a majority of its members deems it necessary, shall be held successively at the headquarters of the International Labour Office, the United Nations Educational, Scientific and Cultural Organization and the Bureau of the International Union for the Protection of Literary and Artistic Works.

7. Expenses of members of the Committee shall be borne by their respective Governments.

### **Article 33**

1. The present Convention is drawn up in English, French and Spanish, the three texts being equally authentic.



2. In addition, official texts of the present Convention shall be drawn up in German, Italian and Portuguese.

### **Article 34**

1. The Secretary-General of the United Nations shall notify the States invited to the Conference referred to in Article 23 and every State Member of the United Nations, as well as the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works:

- (a) of the deposit of each instrument of ratification, acceptance or accession;
- (b) of the date of entry into force of the Convention;
- (c) of all notifications, declarations or communications provided for in this Convention;
- (d) if any of the situations referred to in paragraphs 4 and 5 of Article 28 arise.

2. The Secretary-General of the United Nations shall also notify the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works of the requests communicated to him in accordance with Article 29, as well as of any communication received from the Contracting States concerning the revision of the Convention.

IN FAITH WHEREOF, the undersigned, being duly authorised thereto, have signed this Convention.

Done at Rome, this twenty-sixth day of October 1961, in a single copy in the English, French and Spanish languages. Certified true copies shall be delivered by the Secretary-General of the United Nations to all the States invited to the Conference referred to in Article 23 and to every State Member of the United Nations, as well as to the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works.

**CONVENTION AGAINST DISCRIMINATION IN  
EDUCATION<sup>1</sup> AND PROTOCOL INSTITUTING A  
CONCILIATION AND GOOD OFFICES COMMISSION TO  
BE RESPONSIBLE FOR SEEKING THE SETTLEMENT  
OF ANY DISPUTES WHICH MAY ARISE BETWEEN  
STATES PARTIES TO THE CONVENTION AGAINST  
DISCRIMINATION IN EDUCATION<sup>2</sup>**

**Introduction**

*The purpose of this Convention is not only the elimination of discrimination in education, but the adoption of measures aimed at promoting equality of opportunity and treatment in this field. It is therefore based upon two distinct fundamental principles which are embodied in both UNESCO's Constitution and the Universal Declaration of Human Rights, articles 2 and 26 of which proscribe any form of discrimination and are aimed at promoting the right to education for all. However, the scope of the commitments entered into by States varies according to whether discrimination or equality of opportunity is involved. Under article 3, the States undertake to take immediate measures with a view to eliminating and preventing any discrimination within the meaning of the Convention, preventing differences of treatment and forbidding preferences and restrictions in various fields.*

*On the other hand, in many countries, the action to be taken in order to ensure equality of educational opportunity requires a complex effort which is not confined to education, together with a large budgetary outlay which must be spread over a period of time. The Convention therefore stipulates that States must formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education.*

*The Convention came into force on 22 May 1962.*

*The Protocol instituting a Conciliation and Good Offices Commission to be responsible for seeking the settlement of any disputes which may arise between States Parties to the Convention Against Discrimination in Education was adopted as an instru-*

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<sup>1</sup> Adopted on 14 December 1960 by the General Conference of UNESCO at its eleventh session, held in Paris.

<sup>2</sup> Adopted 10 December 1962 by the General Conference of UNESCO at its twelfth session, held in Paris.

*ment complementary to the Convention Against Discrimination in Education. It established a Commission to settle possible disputes arising in the event of a State Party to the Protocol not giving effect to a provision or provisions of the aforementioned convention.*

*The Commission consists of eleven members elected by the General Conference for terms of six years.*

*The Protocol came into force on 24 October 1968.*

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## Convention against Discrimination in Education

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 14 November to 15 December 1960, at its eleventh session,

Recalling that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that every person has the right to education,

Considering that discrimination in education is a violation of rights enunciated in that Declaration,

Considering that, under the terms of its Constitution, the United Nations Educational, Scientific and Cultural Organization has the purpose of instituting collaboration among the nations with a view to furthering for all universal respect for human rights and equality of educational opportunity,

Recognizing that, consequently, the United Nations Educational, Scientific and Cultural Organization, while respecting the diversity of national educational systems, has the duty not only to proscribe any form of discrimination in education but also to promote equality of opportunity and treatment for all in education,

Having before it proposals concerning the different aspects of discrimination in education, constituting item 17.1.4 of the agenda of the session,

Having decided at its tenth session that this question should be made the subject of an international convention as well as of recommendations to Member States,

Adopts this Convention on the fourteenth day of December 1960.

## **Article 1**

1. For the purpose of this Convention, the term «discrimination» includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

(a) Of depriving any person or group of persons of access to education of any type or at any level;

(b) Of limiting any person or group of persons to education of an inferior standard;

(c) Subject to the provisions of article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or

(d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man.

2. For the purposes of this Convention, the term «education» refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

## **Article 2**

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of article I of this Convention:

(a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;

(b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions

offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;

(c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

### **Article 3**

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

(a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;

(b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;

(c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;

(d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;

(e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

## **Article 4**

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

(a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;

(b) To ensure that the standards of education are equivalent in all public education institutions of the same level, and that the conditions relating to the quality of education provided are also equivalent;

(c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;

(d) To provide training for the teaching profession without discrimination.

## **Article 5**

1. The States Parties to this Convention agree that:

(a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; 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;

(b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in

the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their conviction;

(c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

- (i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;
- (ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and
- (iii) That attendance at such schools is optional.

2. The States Parties to this Convention undertake to take all necessary measures to ensure the application of the principles enunciated in paragraph 1 of this article.

### **Article 6**

In the application of this Convention, the States Parties to it undertake to pay the greatest attention to any recommendations hereafter adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization defining the measures to be taken against the different forms of discrimination in education and for the purpose of ensuring equality of opportunity and treatment in education.

### **Article 7**

The States Parties to this Convention shall in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention,

including that taken for the formulation and the development of the national policy defined in article 4 as well as the results achieved and the obstacles encountered in the application of that policy.

#### **Article 8**

Any dispute which may arise between any two or more States Parties to this Convention concerning the interpretation or application of this Convention which is not settled by negotiations shall at the request of the parties to the dispute be referred, failing other means of settling the dispute, to the International Court of Justice for decision.

#### **Article 9**

Reservations to this Convention shall not be permitted.

#### **Article 10**

This Convention shall not have the effect of diminishing the rights which individuals or groups may enjoy by virtue of agreements concluded between two or more States, where such rights are not contrary to the letter or spirit of this Convention.

#### **Article 11**

This Convention is drawn up in English, French, Russian and Spanish, the four texts being equally authoritative.

#### **Article 12**

1. This Convention shall be subject to ratification or acceptance by States Members of the United Nations Educational, Scientific and Cultural Organization in accordance with their respective constitutional procedures.

2. The instruments of ratification or acceptance shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### **Article 13**

1. This Convention shall be open to accession by all States not Members of the United Nations Educational, Scientific and Cultural Organization which are invited to do so by the Executive Board of the Organization.



2. Accession shall be effected by the deposit of an instrument of accession with the Director-General of the United Nations Educational, Scientific and Cultural Organization.

#### **Article 14**

This Convention shall enter into force three months after the date of the deposit of the third instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

#### **Article 15**

The States Parties to this Convention recognize that the Convention is applicable not only to their metropolitan territory but also to all non-self-governing, trust, colonial and other territories for the international relations of which they are responsible; they undertake to consult, if necessary, the governments or other competent authorities of these territories on or before ratification, acceptance or accession with a view to securing the application of the Convention to those territories, and to notify the Director-General of the United Nations Educational, Scientific and Cultural Organization of the territories to which it is accordingly applied, the notification to take effect three months after the date of its receipt.

#### **Article 16**

1. Each State Party to this Convention may denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization.
3. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation.

#### **Article 17**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the States Members of the Organization, the States not members of the Organiza-

tion which are referred to in article 13, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in articles 12 and 13, and of notifications and denunciations provided for in articles 15 and 16 respectively.

### **Article 18**

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Any such revision shall, however, bind only the States which shall become Parties to the revising convention.

2. If the General Conference should adopt a new convention revising this Convention in whole or in part, then, unless the new convention otherwise provides, this Convention shall cease to be open to ratification, acceptance or accession as from the date on which the new revising convention enters into force.

### **Article 19**

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

DONE in Paris, this fifteenth day of December 1960, in two authentic copies bearing the signatures of the President of the eleventh session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in articles 12 and 13 as well as to the United Nations.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eleventh session, which was held in Paris and declared closed the fifteenth day of December 1960.

IN FAITH WHEREOF we have appended our signatures this fifteenth day of December 1960.

**PROTOCOL INSTITUTING A CONCILIATION AND GOOD OFFICES COMMISSION TO BE RESPONSIBLE FOR SEEKING A SETTLEMENT OF ANY DISPUTES WHICH MAY ARISE BETWEEN STATES PARTIES TO THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION**

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 9 November to 12 December 1962, at its twelfth session,

Having adopted, at its eleventh session, the Convention against Discrimination in Education,

Desirous of facilitating the implementation of that Convention, and

Considering that it is important, for this purpose, to institute a Conciliation and Good Offices Commission to be responsible for seeking the amicable settlement of any disputes which may arise between States Parties to the Convention concerning its application or interpretation,

Adopts this Protocol on the tenth day of December 1962.

**Article 1**

There shall be established under the auspices of the United Nations Educational, Scientific and Cultural Organization a Conciliation and Good Offices Commission, hereinafter referred to as the Commission, to be responsible for seeking the amicable settlement of disputes between States Parties to the Convention against Discrimination in Education, hereinafter referred to as the Convention, concerning the application or interpretation of the Convention.

**Article 2**

1. The Commission shall consist of eleven members who shall be persons of high moral standing and acknowledged impartiality and shall be elected by the General Conference of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the General Conference.
2. The members of the Commission shall serve in their personal capacity.

### **Article 3**

1. The members of the Commission shall be elected from a list of persons nominated for the purpose by the States Parties to this Protocol. Each State shall, after consulting its National Commission for UNESCO, nominate not more than four persons. These persons must be nationals of States Parties to this Protocol.
2. At least four months before the date of each election to the Commission, the Director-General of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the Director-General, shall invite the States Parties to the present Protocol to send within two months, their nominations of the persons referred to in paragraph 1 of this article. He shall prepare a list in alphabetical order of the persons thus nominated and shall submit it, at least one month before the election, to the Executive Board of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as the Executive Board, and to the States Parties to the Convention. The Executive Board shall transmit the aforementioned list, with such suggestions as it may consider useful, to the General Conference, which shall carry out the election of members of the Commission in conformity with the procedure it normally follows in elections of two or more persons.

### **Article 4**

1. The Commission may not include more than one national of the same State.
2. In the election of members of the Commission, the General Conference shall endeavour to include persons of recognized competence in the field of education and persons having judicial experience or legal experience particularly of an international character. It shall also give consideration to equitable geographical distribution of membership and to the representation of the different forms of civilization as well as of the principal legal systems.

### **Article 5**

The members of the Commission shall be elected for a term of six years. They shall be eligible for re-election if renominated. The terms of four of the members elected at the first election shall, however, expire at the end of two years, and the terms of three other members at the end of four years. Immediately after the first

election, the names of these members shall be chosen by lot by the President of the General Conference.

### **Article 6**

1. In the event of the death or resignation of a member of the Commission, the Chairman shall immediately notify the Director-General, who shall declare the seat vacant from the date of death or the date on which the resignation takes effect.

2. If, in the unanimous opinion of the other members, a member of the Commission has ceased to carry out his functions for any cause other than absence of a temporary character or is unable to continue the discharge of his duties, the Chairman of the Commission shall notify the Director-General and shall thereupon declare the seat of such member to be vacant.

3. The Director-General shall inform the Member States of the United Nations Educational, Scientific and Cultural Organization, and any States not members of the Organization which have become Parties to this Protocol under the provisions of article 23, of any vacancies which have occurred in accordance with paragraphs 1 and 2 of this article.

4. In each of the cases provided for by paragraphs 1 and 2 of this article, the General Conference shall arrange for the replacement of the member whose seat has fallen vacant, for the unexpired portion of his term of office.

### **Article 7**

Subject to the provisions of article 6, a member of the Commission shall remain in office until his successor takes up his duties.

### **Article 8**

1. If the Commission does not include a member of the nationality of a State which is party to a dispute referred to it under the provisions of article 12 or article 13, that State, or if there is more than one, each of those States, may choose a person to sit on the Commission as a member ad hoc.

2. The States thus choosing a member ad hoc shall have regard to the qualities required of members of the Commission by virtue of article 2, paragraph 1, and article 4, paragraphs 1 and 2. Any mem-

ber ad hoc thus chosen shall be of the nationality of the State which chooses him or of a State Party to the Protocol, and shall serve in a personal capacity.

3. Should there be several States Parties to the dispute having the same interest they shall, for the purpose of choosing members ad hoc, be reckoned as one party only. The manner in which this provision shall be applied shall be determined by the Rules of Procedure of the Commission referred to in article 11.

### **Article 9**

Members of the Commission and members ad hoc chosen under the provisions of article 8 shall receive travel and per diem allowances in respect of the periods during which they are engaged on the work of the Commission from the resources of the United Nations Educational, Scientific and Cultural Organization on terms laid down by the Executive Board.

### **Article 10**

The Secretariat of the Commission shall be provided by the Director-General.

### **Article 11**

1. The Commission shall elect its Chairman and Vice-Chairman for a period of two years. They may be re-elected.

2. The Commission shall establish its own Rules of Procedure, but these rules shall provide, inter alia, that:

(a) Two thirds of the members, including the members ad hoc, if any, shall constitute a quorum;

(b) Decisions of the Commission shall be made by a majority vote of the members and members ad hoc present; if the votes are equally divided, the Chairman shall have a casting vote;

(c) If a State refers a matter to the Commission under article 12 or article 13:

(i) Such State, the State complained against, and any State Party to this Protocol whose national is concerned in such matter may make submissions in writing to the Commission;

- (ii) Such State and the State complained against shall have the right to be represented at the hearings of the matter and to make submissions orally.

3. The Commission, on the occasion when it first proposes to establish its Rules of Procedure, shall send them in draft form to the States then Parties to the Protocol who may communicate any observation and suggestion they may wish to make within three months. The Commission shall re-examine its Rules of Procedure if at any time so requested by any State Party to the Protocol.

## **Article 12**

1. If a State Party to this Protocol considers that another State Party is not giving effect to a provision of the Convention, it may, by written communication, bring the matter to the attention of that State. Within three months after the receipt of the communication, the receiving State shall afford the complaining State an explanation or statement in writing concerning the matter, which should include, to the extent possible and pertinent, references to procedures and remedies taken, or pending, or available in the matter.

2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Commission, by notice given to the Director-General and to the other State.

3. The provisions of the preceding paragraphs shall not affect the rights of States Parties to have recourse, in accordance with general or special international agreements in force between them, to other procedures for settling disputes including that of referring disputes by mutual consent to the Permanent Court of Arbitration at The Hague.

## **Article 13**

From the beginning of the sixth year after the entry into force of this Protocol, the Commission may also be made responsible for seeking the settlement of any dispute concerning the application or interpretation of the Convention arising between States which are Parties to the Convention but are not, or are not all, Parties to this Protocol, if the said States agree to submit such dispute to the Commission. The conditions to be fulfilled by the said States in

reaching agreement shall be laid down by the Commission's Rules of Procedure.

#### **Article 14**

The Commission shall deal with a matter referred to it under article 12 or article 13 of this Protocol only after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law.

#### **Article 15**

Except in cases where new elements have been submitted to it, the Commission shall not consider matters it has already dealt with.

#### **Article 16**

In any matter referred to it, the Commission may call upon the States concerned to supply any relevant information.

#### **Article 17**

1. Subject to the provisions of article 14, the Commission, after obtaining all the information it thinks necessary, shall ascertain the facts, and make available its good offices to the States concerned with a view to an amicable solution of the matter on the basis of respect for the Convention.

2. The Commission shall in every case, and in no event later than eighteen months after the date of receipt by the Director-General of the notice under article 12, paragraph 2, draw up a report in accordance with the provisions of paragraph 3 below which will be sent to the States concerned and then communicated to the Director-General for publication. When an advisory opinion is requested of the International Court of Justice, in accordance with article 18, the time-limit shall be extended appropriately.

3. If a solution within the terms of paragraph 1 of this article is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached. If such a solution is not reached, the Commission shall draw up a report on the facts and indicate the recommendations which it made with a view to conciliation. If the report does not represent in whole or in part the unanimous opinion of the members of the Commission, any member of the Commission shall be entitled to attach to it a separate



opinion. The written and oral submissions made by the parties to the case in accordance with article 11, paragraph 2 (c), shall be attached to the report.

### **Article 18**

The Commission may recommend to the Executive Board, or to the General Conference if the recommendation is made within two months before the opening of one of its sessions, that the International Court of Justice be requested to give an advisory opinion on any legal question connected with a matter laid before the Commission.

### **Article 19**

The Commission shall submit to the General Conference at each of its regular sessions a report on its activities, which shall be transmitted to the General Conference by the Executive Board.

### **Article 20**

1. The Director-General shall convene the first meeting of the Commission at the Headquarters of the United Nations Educational, Scientific and Cultural Organization within three months after its nomination by the General Conference.
2. Subsequent meetings of the Commission shall be convened when necessary by the Chairman of the Commission to whom, as well as to all other members of the Commission, the Director-General shall transmit all matters referred to the Commission in accordance with the provisions of this Protocol.
3. Notwithstanding paragraph 2 of this article, when at least one third of the members of the Commission consider that the Commission should examine a matter in accordance with the provisions of this Protocol, the Chairman shall on their so requiring convene a meeting of the Commission for that purpose.

### **Article 21**

The present Protocol is drawn up in English, French, Russian and Spanish, all four texts being equally authentic.

## **Article 22**

1. This Protocol shall be subject to ratification or acceptance by States Members of the United Nations Educational, Scientific and Cultural Organization which are Parties to the Convention.
2. The instruments of ratification or acceptance shall be deposited with the Director-General.

## **Article 23**

1. This Protocol shall be open to accession by all States not Members of the United Nations Educational, Scientific and Cultural Organization which are Parties to the Convention.
2. Accession shall be effected by the deposit of an instrument of accession with the Director-General.

## **Article 24**

This Protocol shall enter into force three months after the date of the deposit of the fifteenth instrument of ratification, acceptance or accession, but only with respect to those States which have deposited their respective instruments on or before that date. It shall enter into force with respect to any other State three months after the deposit of its instrument of ratification, acceptance or accession.

## **Article 25**

Any State may, at the time of ratification, acceptance or accession or at any subsequent date, declare, by notification to the Director-General, that it agrees, with respect to any other State assuming the same obligation, to refer to the International Court of Justice, after the drafting of the report provided for in article 17, paragraph 3, any dispute covered by this Protocol on which no amicable solution has been reached in accordance with article 17, paragraph 1.

## **Article 26**

1. Each State Party to this Protocol may denounce it.
2. The denunciation shall be notified by an instrument in writing, deposited with the Director-General.

3. Denunciation of the Convention shall automatically entail denunciation of this Protocol.

4. The denunciation shall take effect twelve months after the receipt of the instrument of denunciation. The State denouncing the Protocol shall, however, remain bound by its provisions in respect of any cases concerning it which have been referred to the Commission before the end of the time-limit stipulated in this paragraph.

### **Article 27**

The Director-General shall inform the States Members of the United Nations Educational, Scientific and Cultural Organization, the States not Members of the Organization which are referred to in article 23, as well as the United Nations, of the deposit of all the instruments of ratification, acceptance and accession provided for in articles 22 and 23, and of the notifications and denunciations provided for in articles 25 and 26 respectively.

### **Article 28**

In conformity with Article 102 of the Charter of the United Nations, this Protocol shall be registered with the Secretariat of the United Nations at the request of the Director-General.

DONE in Paris, this eighteenth day of December 1962, in two authentic copies bearing the signatures of the President of the twelfth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in articles 12 and 13 of the Convention against Discrimination in Education as well as to the United Nations.

The foregoing is the authentic text of the Protocol duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its twelfth session, which was held in Paris and declared closed the twelfth day of December 1962.

IN FAITH WHEREOF we have appended our signatures this eighteenth day of December 1962.

# UNIVERSAL COPYRIGHT CONVENTION AS REVISED AT PARIS ON 24 JULY 1971<sup>1</sup>

## Introduction

*The General Conference of UNESCO, after noting at its fourteenth session 'that conventions ... governing international relations in the matter of copyright should be partially revised to take account of the economic, social and cultural conditions obtaining in the developing countries', invited the Director-General of UNESCO to submit the matter to the competent bodies so that they might examine the possibility of revising the Universal Copyright Convention with a view to introducing a preferential system to benefit the developing countries.*

*The main provisions of the Revised Universal Convention are as follows:*

- 1. Article IVbis extends the protection of this instrument to the author's basic rights.*
- 2. Article Vbis lays down the criteria to be satisfied by States and the procedure they must follow in order to enjoy the advantages of the special provisions for developing countries contained in Articles Vter and Vquater.*
- 3. Article Vter institutes for the benefits of developing countries a translation licence more favourable than that instituted by the common system referred to in Article V.*
- 4. Article Vquater regulates the granting of the legal reproduction licence limited to systematic instructional activities.*
- 5. Article IX governs the relations between States Parties to the 1952 Convention and States Parties to the 1971 Convention.*
- 6. Article XVII and the Appendix Declaration relating thereto govern relations between the Universal Convention and the Berne Convention for the Protection of Literary and Artistic Works.*

*The Universal Convention as revised in 1971 was deposited with the Director-General of UNESCO.*

*It is administered by an Intergovernmental Committee which at the same time acts as the Intergovernmental Committee of the 1952 Convention, whose powers it retains with regard to both the*

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<sup>1</sup> Adopted in Paris on 24 July 1971 by the Conference for revision of the Universal Copyright Convention, convened by UNESCO.

*1952 Convention and the Revised Convention or solely to the 1952 Convention. Its secretariat is provided by UNESCO.*

*Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 concerning the protection of stateless persons and refugees assimilated for copyright protection purposes, stateless persons and refugees residing in a Contracting State to the nationals of that State.*

*It is subject to separate ratification, acceptance or accession by States Parties to the Revised Universal Convention.*

*Protocol 2 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 concerning the application of that convention to the works of certain international organizations extends the protection provided for under the Universal Convention to works published for the first time by the United Nations, by the Specialized Agencies in relationship therewith, or by the Organization of American States.*

*It is subject to separate ratification, acceptance or accession by States Parties to the Revised Universal Convention.*

*The Convention and both Protocols came into force on 10 July 1974.*

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The Contracting States,

Moved by the desire to ensure in all countries copyright protection of literary, scientific and artistic works,

Convinced that a system of copyright protection appropriate to all nations of the world and expressed in a universal convention, additional to, and without impairing international systems already in force, will ensure respect for the rights of the individual and encourage the development of literature, the sciences and the arts,

Persuaded that such a universal copyright system will facilitate a wider dissemination of works of the human mind and increase international understanding,

Have resolved to revise the Universal Copyright Convention as signed at Geneva on 6 September 1952 (hereinafter called 'the 1952 Convention'), and consequently,

Have agreed as follows:

## **Article I**

Each Contracting State undertakes to provide for the adequate and effective protection of the rights of authors and other copyright

proprietors in literary, scientific and artistic works, including writings, musical, dramatic and cinematographic works, and paintings, engravings and sculpture.

## **Article II**

1. Published works of nationals of any Contracting State and works first published in that State shall enjoy in each other Contracting State the same protection as that other State accords to works of its nationals first published in its own territory, as well as the protection specially granted by this Convention.
2. Unpublished works of nationals of each Contracting State shall enjoy in each other Contracting State the same protection as that other State accords to unpublished works of its own nationals, as well as the protection specially granted by this Convention.
3. For the purpose of this Convention any Contracting State may, by domestic legislation, assimilate to its own nationals any person domiciled in that State.

## **Article III**

1. Any Contracting State which, under its domestic law, requires as a condition of copyright, compliance with formalities such as deposit, registration, notice, notarial certificates, payment of fees or manufacture or publication in that Contracting State, shall regard these requirements as satisfied with respect to all works protected in accordance with this Convention and first published outside its territory and the author of which is not one of its nationals, if from the time of the first publication all the copies of the work published with the authority of the author or other copyright proprietor bear the symbol © accompanied by the name of the copyright proprietor and the year of first publication placed in such manner and location as to give reasonable notice of claim of copyright.
2. The provisions of paragraph 1 shall not preclude any Contracting State from requiring formalities or other conditions for the acquisition and enjoyment of copyright in respect of works first published in its territory or works of its nationals wherever published.
3. The provisions of paragraph 1 shall not preclude any Contracting State from providing that a person seeking judicial relief must, in bringing the action, comply with procedural requirements, such as that the complainant must appear through domestic counsel or

that the complainant must deposit with the court or an administrative office, or both, a copy of the work involved in the litigation; provided that failure to comply with such requirements shall not affect the validity of the copyright, nor shall any such requirement be imposed upon a national of another Contracting State if such requirement is not imposed on nationals of the State in which protection is claimed.

4. In each Contracting State there shall be legal means of protecting without formalities the unpublished works of nationals of other Contracting States.

5. If a Contracting State grants protection for more than one term of copyright and the first term is for a period longer than one of the minimum periods prescribed in Article IV, such State shall not be required to comply with the provisions of paragraph 1 of this Article in respect of the second or any subsequent term of copyright.

#### **Article IV**

1. The duration of protection of a work shall be governed, in accordance with the provisions of Article II and this Article, by the law of the Contracting State in which protection is claimed.

2. (a) The term of protection for works protected under this Convention shall not be less than the life of the author and twenty-five years after his death. However, any Contracting State which, on the effective date of this Convention in that State, has limited this term for certain classes of works to a period computed from the first publication of the work, shall be entitled to maintain these exceptions and to extend them to other classes of works. For all these classes the term of protection shall not be less than twenty-five years from the date of first publication.

(b) Any Contracting State which, upon the effective date of this Convention in that State, does not compute the term of protection upon the basis of the life of the author, shall be entitled to compute the term of protection from the date of the first publication of the work or from its registration prior to publication, as the case may be, provided the term of protection shall not be less than twenty-five years from the date of first publication or from its registration prior to publication, as the case may be.

(c) If the legislation of a Contracting State grants two or more successive terms of protection, the duration of the first term shall not be less than one of the minimum periods specified in subparagraphs (a) and (b).

3. The provisions of paragraph 2 shall not apply to photographic works or to works of applied art; provided, however, that the term of protection in those Contracting States which protect photographic works, or works of applied art in so far as they are protected as artistic works, shall not be less than ten years for each of said classes of works.

4. (a) No Contracting State shall be obliged to grant protection to a work for a period longer than that fixed for the class of works to which the work in question belongs, in the case of unpublished works by the law of the Contracting State of which the author is a national, and in the case of published works by the law of the Contracting State in which the work has been first published.

(b) For the purposes of the application of sub-paragraph (a), if the law of any Contracting State grants two or more successive terms of protection, the period of protection of that State shall be considered to be the aggregate of those terms. However, if a specified work is not protected by such State during the second or any subsequent term for any reason, the other Contracting States shall not be obliged to protect it during the second or any subsequent term.

5. For the purposes of the application of paragraph 4, the work of a national of a Contracting State, first published in a non-Contracting State, shall be treated as though first published in the Contracting State of which the author is a national.

6. For the purposes of the application of paragraph 4, in case of simultaneous publication in two or more Contracting States, the work shall be treated as though first published in the State which affords the shortest term; any work published in two or more Contracting States within thirty days of its first publication shall be considered as having been published simultaneously in said Contracting States.

#### **Article IVbis**

1. The rights referred to in Article I shall include the basic rights ensuring the author's economic interests, including the exclusive right to authorize reproduction by any means, public performance and broadcasting. The provisions of this Article shall extend to works protected under this Convention either in their original form or in any form recognizably derived from the original.

2. However, any Contracting State may, by its domestic legislation, make exceptions that do not conflict with the spirit and provi-



sions of this Convention, to the rights mentioned in paragraph I of this Article. Any State whose legislation so provides, shall nevertheless accord a reasonable degree of effective protection to each of the rights to which exception has been made.

## Article V

1. The rights referred to in Article I shall include the exclusive right of the author to make, publish and authorize the making and publication of translations of works protected under this Convention.

2. However, any Contracting State may, by its domestic legislation, restrict the right of translation of writings, but only subject to the following provisions:

(a) If, after the expiration of a period of seven years from the date of the first publication of a writing, a translation of such writing has not been published in a language in general use in the Contracting State, by the owner of the right of translation or with his authorization, any national of such Contracting State may obtain a non-exclusive licence from the competent authority thereof to translate the work into that language and publish the work so translated.

(b) Such national shall in accordance with the procedure of the State concerned, establish either that he has requested, and been denied, authorization by the proprietor of the right to make and publish the translation, or that, after due diligence on his part, he was unable to find the owner of the right. A licence may also be granted on the same conditions if all previous editions of a translation in a language in general use in the Contracting State are out of print.

(c) If the owner of the right of translation cannot be found, then the applicant for a licence shall send copies of his application to the publisher whose name appears on the work and, if the nationality of the owner of the right of translation is known, to the diplomatic or consular representative of the State of which such owner is a national, or to the organization which may have been designated by the government of that State. The licence shall not be granted before the expiration of a period of two months from the date of the dispatch of the copies of the application.

(d) Due provision shall be made by domestic legislation to ensure to the owner of the right of translation a compensation which is just and conforms to international standards, to ensure payment and transmittal of such compensation, and to ensure a correct translation of the work.

(e) The original title and the name of the author of the work shall be printed on all copies of the published translation. The licence shall be valid only for publication of the translation in the territory of the Contracting State where it has been applied for. Copies so published may be imported and sold in another Contracting State if a language in general use in such other State is the same language as that into which the work has been so translated, and if the domestic law in such other State makes provision for such licences and does not prohibit such importation and sale. Where the foregoing conditions do not exist, the importation and sale of such copies in a Contracting State shall be governed by its domestic law and its agreements. The licence shall not be transferred by the licensee.

(f) The licence shall not be granted when the author has withdrawn from circulation all copies of the work.

### **Article *Vbis***

1. Any Contracting State regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations may, by a notification deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization (hereinafter called 'the Director-General') at the time of this ratification, acceptance or accession or thereafter, avail itself of any or all of the exceptions provided for in Articles *Vter* and *Vquater*.

2. Any such notification shall be effective for ten years from the date of coming into force of this Convention, or for such part of that ten-year period as remains at the date of deposit of the notification, and may be renewed in whole or in part for further periods of ten years each if, not more than fifteen or less than three months before the expiration of the relevant ten-year period, the Contracting State deposits a further notification with the Director-General. Initial notifications may also be made during these further periods of ten years in accordance with the provisions of this Article.

3. Notwithstanding the provisions of paragraph 2, a Contracting State that has ceased to be regarded as a developing country as referred to in paragraph 1 shall no longer be entitled to renew its notification made under the provisions of paragraph 1 or 2, and whether or not it formally withdraws the notification such State shall be precluded from availing itself of the exceptions provided for in Articles *Vter* and *Vquater* at the end of the current ten-year period, or at the end of three years after it has ceased to be regarded as a developing country, whichever period expires later.

4. Any copies of a work already made under the exceptions provided for in Articles *Vter* and *Vquater* may continue to be distributed after the expiration of the period for which notifications under this Article were effective until their stock is exhausted.

5. Any Contracting State that has deposited a notification in accordance with Article XIII with respect to the application of this Convention to a particular country or territory, the situation of which can be regarded as analogous to that of the States referred to in paragraph 1 of this Article, may also deposit notifications and renew them in accordance with the provisions of this Article with respect to any such country or territory. During the effective period of such notifications, the provisions of Articles *Vter* and *Vquater* may be applied with respect to such country or territory. The sending of copies from the country or territory to the Contracting State shall be considered as export within the meaning of Articles *Vter* and *Vquater*.

### **Article *Vter***

1. (a) Any Contracting State to which Article *Vbis* (I) applies may substitute for the period of seven years provided for in Article V (2) a period of three years or any longer period prescribed by its legislation. However, in the case of a translation into a language not in general use in one or more developed countries that are party to this Convention or only the 1952 Convention, the period shall be one year instead of three.

(b) A Contracting State to which Article *Vbis* (I) applies may, with the unanimous agreement of the developed countries party to this Convention or only the 1952 Convention and in which the same language is in general use, substitute, in the case of translation into that language, for the period of three years provided for in sub-paragraph (a) another period as determined by such agreement but not shorter than one year. However, this sub-paragraph shall not apply where the language in question is English, French or Spanish. Notification of any such agreement shall be made to the Director-General.

(c) The licence may only be granted if the applicant, in accordance with the procedure of the State concerned, establishes either that he has requested, and been denied, authorization by the owner of the right of translation, or that, after due diligence on his part, he was unable to find the owner of the right. At the same time as he makes his request he shall inform either the International Copyright Information Centre established by the United Nations Educational, Scientific and Cultural Organization or any national or

regional information centre which may have been designated in a notification to that effect deposited with the Director-General by the government of the State in which the publisher is believed to have his principal place of business.

(d) If the owner of the right of translation cannot be found, the applicant for a licence shall send, by registered airmail, copies of this application to the publisher whose name appears on the work and to any national or regional information centre as mentioned in sub-paragraph (c). If no such centre is notified he shall also send a copy to the international copyright information centre established by the United Nations Educational, Scientific and Cultural Organization.

2. (a) Licences obtainable after three years shall not be granted under this Article until a further period of six months has elapsed and licences obtainable after one year until a further period of nine months has elapsed. The further period shall begin either from the date of the request for permission to translate mentioned in paragraph I (c) or, if the identity or address of the owner of the right of translation is not known, from the date of dispatch of the copies of the application for a licence mentioned in paragraph I (d).

(b) Licences shall not be granted if a translation has been published by the owner of the right of translation or with his authorization during the said period of six or nine months.

3. Any licence under this Article shall be granted only for the purpose of teaching, scholarship or research.

4. (a) Any licence granted under this Article shall not extend to the export of copies and shall be valid only for publication in the territory of the Contracting State where it has been applied for.

(b) Any copy published in accordance with a licence granted under this Article shall bear a notice in the appropriate language stating that the copy is available for distribution only in the Contracting State granting the licence. If the writing bears the notice specified in Article III (I) the copies shall bear the same notice.

(c) The prohibition of export provided for in sub-paragraph (a) shall not apply where a governmental or other public entity of a State which has granted a licence under this Article to translate a work into a language other than English, French or Spanish sends copies of a translation prepared under such licence to another country if:

(i) the recipients are individuals who are nationals of the Contracting State granting the licence, or organizations grouping such individuals;

- (ii) the copies are to be used only for the purpose of teaching, scholarship or research;
- (iii) the sending of the copies and their subsequent distribution to recipients is without the object of commercial purpose; and
- (iv) the country to which the copies have been sent has agreed with the Contracting State to allow the receipt, distribution or both and the Director-General has been notified of such agreement by any one of the governments which have concluded it.

5. Due provision shall be made at the national level to ensure:

(a) that the licence provides for just compensation that is consistent with standards of royalties normally operating in the case of licences freely negotiated between persons in the two countries concerned; and

(b) payment and transmittal of the compensation; however, should national currency regulations intervene, the competent authority shall make all efforts, by the use of international machinery, to ensure transmittal in internationally convertible currency or its equivalent.

6. Any licence granted by a Contracting State under this Article shall terminate if a translation of the work in the same language with substantially the same content as the edition in respect of which the licence was granted is published in the said State by the owner of the right of translation or with his authorization, at a price reasonably related to that normally charged in the same State for comparable works. Any copies already made before the licence is terminated may continue to be distributed until their stock is exhausted.

7. For works which are composed mainly of illustrations a licence to translate the text and to reproduce the illustrations may be granted only if the conditions of Article *Vquater* are also fulfilled.

8. (a) A licence to translate a work protected under this Convention, published in printed or analogous forms of reproduction, may also be granted to a broadcasting organization having its headquarters in a Contracting State to which Article *Vbis (I)* applies, upon an application made in that State by the said organization under the following conditions:

- (i) the translation is made from a copy made and acquired in accordance with the laws of the Contracting State;
- (ii) the translation is for use only in broadcasts intended exclusively for teaching or for the dissemination of the results

of specialized technical or scientific research to experts in a particular profession;

(iii) the translation is used exclusively for the purposes set out in condition (ii), through broadcasts lawfully made which are intended for recipients on the territory of the Contracting State, including broadcasts made through the medium of sound or visual recordings lawfully and exclusively made for the purpose of such broadcasts;

(iv) sound or visual recordings of the translation may be exchanged only between broadcasting organizations having their headquarters in the Contracting State granting the licence; and

(v) all uses made of the translation are without any commercial purpose.

(b) Provided all of the criteria and conditions set out in subparagraph (a) are met, a licence may also be granted to a broadcasting organization to translate any text incorporated in an audio-visual fixation which was itself prepared and published for the sole purpose of being used in connexion with systematic instructional activities.

(c) Subject to subparagraphs (a) and (b), the other provisions of this Article shall apply to the grant and exercise of the licence.

9. Subject to the provisions of this Article, any licence granted under this Article shall be governed by the provisions of Article V, and shall continue to be governed by the provisions of Article V and of this Article, even after the seven-year period provided for in Article V (2) has expired. However, after the said period has expired, the licensee shall be free to request that the said licence be replaced by a new licence governed exclusively by the provisions of Article V.

### **Article V<sup>quater</sup>**

1. Any Contracting State to which Article V<sup>bis</sup> (I) applies may adopt the following provisions:

(a) If, after the expiration of (i) the relevant period specified in subparagraph (c) commencing from the date of first publication of a particular edition of a literary, scientific or artistic work referred to in paragraph 3, or (ii) any longer period determined by national legislation of the State, copies of such edition have not been distributed in that State to the general public or in connexion with systematic instructional activities at a price reasonably related to that normally charged in the State for comparable works, by the owner of the right of reproduction or with his authorization, any

national of such State may obtain a non-exclusive licence from the competent authority to publish such edition at that or a lower price for use in connexion with systematic instructional activities. The licence may only be granted if such national, in accordance with the procedure of the State concerned, establishes either that he has requested, and been denied, authorization by the proprietor of the right to publish such work, or that, after due diligence on his part, he was unable to find the owner of the right. At the same time as he makes his request he shall inform either the international copyright information centre established by the United Nations Educational, Scientific and Cultural Organization or any national or regional information centre referred to in sub-paragraph (d).

(b) A licence may also be granted on the same conditions if, for a period of six months, no authorized copies of the edition in question have been on sale in the State concerned to the general public or in connexion with systematic instructional activities at a price reasonably related to that normally charged in the State for comparable works.

(c) The period referred to in sub-paragraph (a) shall be five years except that:

(i) for works of the natural and physical sciences, including mathematics, and of technology, the period shall be three years;

(ii) for works of fiction, poetry, drama and music, and for art books, the period shall be seven years.

(d) If the owner of the right of reproduction cannot be found, the applicant for a licence shall send, by registered air mail, copies of his application to the publisher whose name appears on the work and to any national or regional information centre identified as such in a notification deposited with the Director-General by the State in which the publisher is believed to have his principal place of business. In the absence of any such notification, he shall also send a copy to the international copyright information centre established by the United Nations Educational, Scientific and Cultural Organization. The licence shall not be granted before the expiration of a period of three months from the date of dispatch of the copies of the application.

(e) Licences obtainable after three years shall not be granted under this Article:

- (i) until a period of six months has elapsed from the date of the request for permission referred to in sub-paragraph (a) or, if the identity or address of the owner of the right of reproduction is unknown, from the date of the dispatch of the copies of the application for a licence referred to in sub-paragraph (d);
- (ii) if any such distribution of copies of the edition as is mentioned in sub-paragraph (a) has taken place during that period.

(f) The name of the author and the title of the particular edition of the work shall be printed on all copies of the published reproduction. The licence shall not extend to the export of copies and shall be valid only for publication in the territory of the Contracting State where it has been applied for. The licence shall not be transferable by the licensee.

(g) Due provision shall be made by domestic legislation to ensure an accurate reproduction of the particular edition in question.

(h) A licence to reproduce and publish a translation of a work shall not be granted under this Article in the following cases:

- (i) where the translation was not published by the owner of the right of translation or with his authorization;
- (ii) where the translation is not in a language in general use in the State with power to grant the licence.

2. The exceptions provided for in paragraph 1 are subject to the following additional provisions:

(a) Any copy published in accordance with a licence granted under this Article shall bear a notice in the appropriate language stating that the copy is available for distribution only in the Contracting State to which the said licence applies. If the edition bears the notice specified in Article III (1), the copies shall bear the same notice.

(b) Due provision shall be made at the national level to ensure:

- (i) that the licence provides for just compensation that is consistent with standards of royalties normally operating in the case of licences freely negotiated between persons in the two countries concerned; and
- (ii) payment and transmittal of the compensation; however, should national currency regulations intervene, the competent authority shall make all efforts, by the use of international machinery, to ensure transmittal in internationally convertible currency or its equivalent.

(c) Whenever copies of an edition of a work are distributed in the Contracting State to the general public or in connexion with systematic instructional activities, by the owner of the right of reproduction or with his authorization, at a price reasonably related to that normally charged in the State for comparable works, any licence granted under this Article shall terminate if such edition is in the same language and is substantially the same in content as the edition published under the licence. Any copies already made before the licence is terminated may continue to be distributed until their stock is exhausted.



(d) No licence shall be granted when the author has withdrawn from circulation all copies of the edition in question.

3. (a) Subject to sub-paragraph (b), the literary, scientific or artistic works to which this Article applies shall be limited to works published in printed or analogous forms of reproduction.

(b) The provisions of this Article shall also apply to reproduction in audio-visual form of lawfully made audio-visual fixations including any protected works incorporated therein and to the translation of any incorporated text into a language in general use in the State with power to grant the licence; always provided that the audio-visual fixations in question were prepared and published for the sole purpose of being used in connexion with systematic instructional activities.

### **Article VI**

'Publication', as used in this Convention, means the reproduction in tangible form and the general distribution to the public of copies of a work from which it can be read or otherwise visually perceived.

### **Article VII**

This Convention shall not apply to works or rights in works which, at the effective date of this Convention in a Contracting State where protection is claimed, are permanently in the public domain in the said Contracting State.

### **Article VIII**

1. This Convention, which shall bear the date of 24 July 1971, shall be deposited with the Director-General and shall remain open for signature by all States party to the 1952 Convention for a period of 120 days after the date of this Convention. It shall be subject to ratification or acceptance by the signatory States.

2. Any State which has not signed this Convention may accede thereto.

3. Ratification, acceptance or accession shall be effected by the deposit of an instrument to that effect with the Director-General.

## **Article IX**

1. This Convention shall come into force three months after the deposit of twelve instruments of ratification, acceptance or accession.
2. Subsequently, this Convention shall come into force in respect of each State three months after that State has deposited its instrument of ratification, acceptance or accession.
3. Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; however, if its instrument of accession is deposited before this Convention comes into force, such State may make its accession to the 1952 Convention conditional upon the coming into force of this Convention. After the coming into force of this Convention, no State may accede solely to the 1952 Convention.
4. Relations between States party to this Convention and States that are party only to the 1952 Convention, shall be governed by the 1952 Convention. However, any State party only to the 1952 Convention may, by a notification deposited with the Director-General, declare that it will admit the application of the 1971 Convention to works of its nationals or works first published in its territory by all States party to this Convention.

## **Article X**

1. Each Contracting State undertakes to adopt, in accordance with its Constitution, such measures as are necessary to ensure the application of this Convention.
2. It is understood that at the date this Convention comes into force in respect of any State, that State must be in a position under its domestic law to give effect to the terms of this Convention.

## **Article XI**

1. An Intergovernmental Committee is hereby established with the following duties:
  - (a) to study the problems concerning the application and operation of the Universal Copyright Convention;
  - (b) to make preparation for periodic revisions of this Convention;

(c) to study any other problems concerning the international protection of copyright, in co-operation with the various interested international organizations, such as the United Nations Educational, Scientific and Cultural Organization, the International Union for the Protection of Literary and Artistic Works and the Organization of American States;

(d) to inform States party to the Universal Copyright Convention as to its activities.

2. The Committee shall consist of the representatives of eighteen States party to this Convention or only to the 1952 Convention.

3. The Committee shall be selected with due consideration to a fair balance of national interests on the basis of geographical location, population, languages and stage of development.

4. The Director-General of the United Nations Educational, Scientific and Cultural Organization, the Director-General of the World Intellectual Property Organization and the Secretary-General of the Organization of American States, or their representatives, may attend meetings of the Committee in an advisory capacity.

## **Article XII**

The Intergovernmental Committee shall convene a conference for revision whenever it deems necessary, or at the request of at least ten States party to this Convention.

## **Article XIII**

1. Any Contracting State may, at the time of deposit of its instrument of ratification, acceptance or accession, or at any time thereafter, declare by notification addressed to the Director-General that this Convention shall apply to all or any of the countries or territories for the international relations of which it is responsible and this Convention shall thereupon apply to the countries or territories named in such notification after the expiration of the term of three months provided for in Article IX. In the absence of such notification, this Convention shall not apply to any such country or territory.

2. However, nothing in this Article shall be understood as implying the recognition or tacit acceptance by a Contracting State of the factual situation concerning a country or territory to which this Convention is made applicable by another Contracting State in accordance with the provisions of this Article.

#### **Article XIV**

1. Any Contracting State may denounce this Convention in its own name or on behalf of all or any of the countries or territories with respect to which a notification has been given under Article XIII. The denunciation shall be made by notification addressed to the Director-General. Such denunciation shall also constitute denunciation of the 1952 Convention.

2. Such denunciation shall operate only in respect of the State or of the country or territory on whose behalf it was made and shall not take effect until twelve months after the date of receipt of the notification.

#### **Article XV**

A dispute between two or more Contracting States concerning the interpretation or application of this Convention, not settled by negotiation, shall, unless the States concerned agree on some other method of settlement, be brought before the International Court of Justice for determination by it.

#### **Article XVI**

1. This Convention shall be established in English, French and Spanish. The three texts shall be signed and shall be equally authoritative.

2. Official texts of this Convention shall be established by the Director-General, after consultation with the governments concerned, in Arabic, German, Italian and Portuguese.

3. Any Contracting State or group of Contracting States shall be entitled to have established by the Director-General other texts in the language of its choice by arrangement with the Director-General.

4. All such texts shall be annexed to the signed texts of this Convention.

#### **Article XVII**

1. This Convention shall not in any way affect the provisions of the Berne Convention for the Protection of Literary and Artistic Works or membership in the Union created by that Convention.

2. In application of the foregoing paragraph, a declaration has been annexed to the present Article. This declaration is an integral part of this Convention for the States bound by the Berne Convention on 1 January 1951, or which have or may become bound to it at a later date. The signature of this Convention by such States shall also constitute signature of the said declaration, and ratification, acceptance or accession by such States shall include the declaration, as well as this Convention.

### **Article XVIII**

This Convention shall not abrogate multilateral or bilateral copyright conventions or arrangements that are or may be in effect exclusively between two or more American Republics. In the event of any difference either between the provisions of such existing conventions or arrangements and the provisions of this Convention, or between the provisions of this Convention and those of any new convention or arrangement which may be formulated between two or more American Republics after this Convention comes into force, the convention or arrangement most recently formulated shall prevail between the parties thereto. Rights in works acquired in any Contracting State under existing conventions or arrangements before the date this Convention comes into force in such State shall not be affected.

### **Article XIX**

This Convention shall not abrogate multilateral or bilateral conventions or arrangements in effect between two or more Contracting States. In the event of any difference between the provisions of such existing conventions or arrangements and the provisions of this Convention, the provisions of this Convention shall prevail. Rights in works acquired in any Contracting State under existing conventions or arrangements before the date on which this Convention comes into force in such State shall not be affected. Nothing in this Article shall affect the provisions of Articles XVII and XVIII.

### **Article XX**

Reservations to this Convention shall not be permitted.

## Article XXI

1. The Director-General shall send duly certified copies of this Convention to the States interested and to the Secretary-General of the United Nations for registration by him.
2. He shall also inform all interested States of the ratifications, acceptances and accessions which have been deposited, the date on which this Convention comes into force, the notifications under this Convention and denunciations under Article XIV.

### Appendix declaration relating to Article XVII

The States which are members of the International Union for the Protection of Literary and Artistic Works (hereinafter called 'the Berne Union') and which are signatories to this Convention, Desiring to reinforce their mutual relations on the basis of the said Union and to avoid any conflict which might result from the co-existence of the Berne Convention and the Universal Copyright Convention,

Recognizing the temporary need of some States to adjust their level of copyright protection in accordance with their stage of cultural, social and economic development,

Have, by common agreement, accepted the terms of the following declaration:

(a) Except as provided by paragraph (b), works which, according to the Berne Convention, have as their country of origin a country which has withdrawn from the Berne Union after 1 January 1951, shall not be protected by the Universal Copyright Convention in the countries of the Berne Union;

(b) Where a Contracting State is regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations, and has deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization, at the time of its withdrawal from the Berne Union, a notification to the effect that it regards itself as a developing country, the provisions of paragraph (a) shall not be applicable as long as such State may avail itself of the exceptions provided for by this Convention in accordance with Article *Vbis*;

(c) The Universal Copyright Convention shall not be applicable to the relationships among countries of the Berne Union in so far as it relates to the protection of works having as their country of ori-

gin, within the meaning of the Berne Convention, a country of the Berne Union.

### **Resolution concerning Article XI**

The Conference for Revision of the Universal Copyright Convention,

Having considered the problems relating to the Intergovernmental Committee provided for in Article XI of this Convention, to which this resolution is annexed,

Resolves that:

1. At its inception, the Committee shall include representatives of the twelve States members of the Intergovernmental Committee established under Article XI of the 1952 Convention and the resolution annexed to it, and, in addition, representatives of the following States: Algeria, Australia, Japan, Mexico, Senegal and Yugoslavia.
2. Any States that are not party to the 1952 Convention and have not acceded to this Convention before the first ordinary session of the Committee following the entry into force of this Convention shall be replaced by other States to be selected by the Committee at its first ordinary session in conformity with the provisions of Article XI (2) and (3).
3. As soon as this Convention comes into force the Committee as provided for in paragraph 1 shall be deemed to be constituted in accordance with Article XI of this Convention.
4. A session of the Committee shall take place within one year after the coming into force of this Convention; thereafter the Committee shall meet in ordinary session at intervals of not more than two years.
5. The Committee shall elect its Chairman and two Vice-Chairmen. It shall establish its Rules of Procedure having regard to the following principles:
  - (a) The normal duration of the term of office of the members represented on the Committee shall be six years with one-third retiring every two years, it being however understood that, of the original terms of office, one-third shall expire at the end of the Committee's second ordinary session which will follow the entry into force of this Convention, a further third at the end of its third

ordinary session, and the remaining third at the end of its fourth ordinary session.

(b) The rules governing the procedure whereby the Committee shall fill vacancies, the order in which terms of membership expire, eligibility for re-election, and election procedures, shall be based upon a balancing of the needs for continuity of membership and rotation of representation, as well as the considerations set out in Article XI (3).

Expresses the wish that the United Nations Educational, Scientific and Cultural organization provide its Secretariat.

IN FAITH WHEREOF the undersigned, having deposited their respective full powers, have signed this Convention.

Done at Paris, this twenty-fourth day of July 1971, in a single copy.

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**PROTOCOL 1 ANNEXED TO THE UNIVERSAL  
COPYRIGHT CONVENTION AS REVISED AT PARIS ON  
24 JULY 1971 CONCERNING THE APPLICATION OF  
THAT CONVENTION TO WORKS OF STATELESS  
PERSONS AND REFUGEES**

The States party hereto, being also party to the Universal Copyright Convention as revised at Paris on 24 July 1971 (hereinafter called 'the 1971 Convention),

Have accepted the following provisions:

1. Stateless persons and refugees who have their habitual residence in a State party to this Protocol shall, for the purposes of the 1971 Convention, be assimilated to the nationals of that State.

2. (a) This Protocol shall be signed and shall be subject to ratification or acceptance, or may be acceded to, as if the provisions of Article VIII of the 1971 Convention applied hereto.

(b) This Protocol shall enter into force in respect of each State, on the date of deposit of the instrument of ratification, acceptance or accession of the State concerned or on the date of entry into force of the 1971 Convention with respect to such State, whichever is the later.



(c) On the entry into force of this Protocol in respect of a State not party to Protocol I annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.

IN FAITH WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Paris this twenty-fourth day of July 1971, in the English, French and Spanish languages, the three texts being equally authoritative, in a single copy which shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization. The Director-General shall send certified copies to the signatory States, and to the Secretary-General of the United Nations for registration.

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**PROTOCOL 2 ANNEXED TO THE UNIVERSAL  
COPYRIGHT CONVENTION AS REVISED AT PARIS ON  
24 JULY 1971 CONCERNING THE APPLICATION OF  
THAT CONVENTION TO THE WORKS OF CERTAIN  
INTERNATIONAL ORGANIZATIONS**

The States party hereto, being also party to the Universal Copyright Convention as revised at Paris on 24 July 1971 (hereinafter called 'the 1971 Convention'),

Have accepted the following provisions:

1. (a) The protection provided for in Article II (I) of the 1971 Convention shall apply to works published for the first time by the United Nations, by the Specialized Agencies in relationship therewith, or by the Organization of American States.

(b) Similarly, Article II (2) of the 1971 Convention shall apply to the said organization or agencies.

2. (a) This Protocol shall be signed and shall be subject to ratification or acceptance, or may be acceded to, as if the provisions of Article VIII of the 1971 Convention applied hereto.

(b) This Protocol shall enter into force for each State on the date of deposit of the instrument of ratification, acceptance or accession of the State concerned or on the date of entry into force

of the 1971 Convention with respect to such State, whichever is the later.

IN FAITH WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

Done at Paris, this twenty-fourth day of July 1971, in the English, French and Spanish languages, the three texts being equally authoritative, in a single copy which shall be deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization. The Director-General shall send certified copies to the signatory States, and to the Secretary-General of the United Nations for registration.

# CONVENTION ON TECHNICAL AND VOCATIONAL EDUCATION, 1989<sup>1</sup>

## Introduction

*The Convention on Technical and Vocational Education applies to all forms and levels of technical and vocational education provided in educational institutions or through co-operative programmes organized jointly by educational institutions, on the one hand, and industrial, agricultural, commercial or any other undertaking related to the world of work, on the other.*

*The main purpose of the Convention is to facilitate the Contracting States in formulating their policies and strategies of their implementation of technical and vocational education programmes which are not only one of the most important elements of their socio-economic and cultural development needs, but also essential for the fulfilment of the individual.*

*The Convention, which aims to promote international co-operation in the field of technical and vocational education among the Member States, stipulates that no discrimination should exist against the access to such education and training on the grounds of race, sex, language, national or social origin, economic status, or any other grounds.*

*The Convention came into force on 29 August 1991.*

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## Preamble

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting at Paris from 17 October 1989 to 16 November 1989 at its twenty-fifth session,

*Recalling* that it is the Organization's constitutional duty to promote and develop education,

*Recalling also* the principles set forth in Articles 23 and 26 of the Universal Declaration of Human Rights which relate to the right work and to education, the principles contained in the Convention against Discrimination in Education, adopted in

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<sup>1</sup> Adopted on 10 November 1989 by the General Conference of UNESCO at the twenty-fifth session, held in Paris.

Paris on 14 December 1960, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, adopted in New York on 16 December 1966, as well as the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979,

*Recognizing* that the development of technical and vocational education should contribute to the safeguarding of peace and friendly understanding among nations,

*Having noted* the provisions of the Revised Recommendation concerning Technical and Vocational Education, and the Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, both adopted by the General Conference at its eighteenth session in 1974,

*Having noted further* the provisions of the Recommendation on the Development of Adult Education, adopted by the General Conference in 1976, and the Recommendation concerning the Status of Teachers, adopted by the Special Intergovernmental Conference in 1966,

*Taking into account* the relevant recommendations of the International Conference on Education,

*Bearing in mind* the provisions of the Convention (No. 142) and Recommendation (No. 150) concerning Vocational Guidance and Vocational Training in the Development of Human Resources adopted by the International Labour Conference at its sixtieth session in 1975,

*Noting further* the close collaboration between UNESCO and the International Labour Organisation in drawing up their respective instruments so that they pursue harmonious objectives and with a view to continuing fruitful collaboration,

*Considering* the need to make a special effort to promote the technical and vocational education of women and girls,

*Paying special attention* to the diversity of education systems and socioeconomic and cultural conditions, in particular those in developing countries which need special considerations and provisions,

*Considering* that, in spite of this diversity, generally similar objectives are pursued and that similar problems arise in many countries, making it desirable to develop common guidelines in technical and vocational education,

*Recognizing* that the pace of technological, social and economic development has considerably increased the need to expand and improve the technical and vocational education provided for both young people and adults,

*Recognizing* that technical and vocational education meets the global aim of developing both individuals and societies,  
*Convinced* of the need for the exchange of information and experiences in the development of technical and vocational education and of the desirability of strengthening international co-operation in this field,  
*Convinced* of the utility of an international legal instrument to reinforce international collaboration in the development of technical and vocational education,  
Adopts the present Convention this tenth day of November 1989:

### **Article 1**

The Contracting States agree that:

- (a) for the purpose of this Convention, 'technical and vocational education' refers to all forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences and the acquisition of practical skills, know-how, attitudes and Convention on technical and vocational education understanding relating to occupations in the various sectors of economic and social life;
- (b) this Convention applies to all forms and levels of technical and vocational education provided in educational institutions or through co-operative programmes organized jointly by educational institutions, on the one hand, and industrial, agricultural, commercial or any other undertaking related to the world of work, on the other;
- (c) this Convention shall be applied in accordance with the constitutional provisions and legislation of each Contracting State.

### **Article 2**

1. The Contracting States agree to frame policies, to define strategies and to implement, in accordance with their needs and resources, programmes and curricula for technical and vocational education designed for young people and adults, within the framework of their respective education systems, in order to enable them to acquire the knowledge and know-how that are essential to economic and social development as well as to the personal and cultural fulfilment of the individual in society.

2. The general framework for the development of technical and vocational education shall be determined in each Contracting State by appropriate legislation or other measures indicating

- (a) the objectives to be attained in technical and vocational fields, taking into consideration economic, social and cultural development needs and the personal fulfilment of the individual;
- (b) the relationship between technical and vocational education, on the one hand, and other types of education, on the other, with particular reference to horizontal and vertical articulation of programmes;
- (c) the structures for administrative organization of technical and vocational education defined by the responsible authorities;
- (d) the roles of the public authorities responsible for economic, social and development planning in the various sectors of the economy and, where applicable, of professional associations, workers, employers and other interested parties.

3. The Contracting States shall guarantee that non individual who has attained the educational level for admission into technical and vocational education shall be discriminated against on grounds of race, colour, sex, language, religion, national or social origin, political or other opinions, economic status, birth, or on any other grounds.

The Contracting States shall work towards the right to equal access to technical and vocational education and towards equality of opportunity to study throughout the educational process.

4. The Contracting States shall pay attention to the special needs of the handicapped and other disadvantaged groups and take appropriate measures to enable these groups to benefit from technical and vocational education.

### **Article 3**

1. The Contracting States agree to provide and develop technical and vocational education programmes that take account of:
- (a) the educational, cultural and social background of the population concerned and its vocational aspirations;
  - (b) the technical and professional skills, knowledge and levels of qualification needed in the various sectors of the economy, and the technological and structural changes to be expected;
  - (c) employment opportunities and development prospects at the national, regional and local levels;
  - (d) protection of the environment and the common heritage of mankind;
  - (e) occupational health, safety and welfare.

2. Technical and vocational education should be designed to operate within a framework of open-ended and flexible structures in the context of lifelong education and provide:

- (a) an introduction to technology and to the world of work for all young people within the context of general education;
- (b) educational and vocational guidance and information, and aptitude counselling;
- (c) development of an education designed for the acquisition and development of the knowledge and know-how needed for a skilled occupation;
- (d) a basis for education and training that may be essential for occupational mobility, improvement of professional qualifications and updating of knowledge, skills and understanding;
- (e) complementary general education for those receiving initial technical and vocational training in the form of on-the-job or other training both inside and outside technical and vocational education institutions;
- (f) continuing education and training courses for adults with a view, in particular, to retraining as well as to supplementing and upgrading the qualifications of those whose current knowledge has become obsolete because of scientific and technological progress or changes in the employment structure or in the social and economic situation, and also for those in special circumstances.

3. Technical and vocational education programmes should meet the technical requirements of the occupational sectors concerned and also provide the general education necessary for the personal and cultural development of the individual and include, *inter alia*, social, economic and environmental concepts relevant to the occupation concerned.

4. The Contracting States agree to tender support and advice to undertakings outside educational institutions which take part in co-operative programmes in technical and vocational education.

5. At each occupational level, the competence required must be defined as clearly as possible and curricula must be continuously updated to incorporate new knowledge and technical processes.

6. In assessing the ability to carry out occupational activities and determining appropriate awards in technical and vocational education, account should be taken of both the theoretical and practical aspects of the technical field in question, and this should apply both to persons who have received training and to persons who have acquired occupational experience in employment.

#### **Article 4**

The Contracting States agree to review periodically the structure of technical and vocational education, study programmes, plans, training methods and materials, as well as forms of co-operation between the school system and the world of work, so as to ensure that they are constantly adapted to scientific and technological progress, to cultural progress and to changing employment needs in the various sectors of the economy, and that advances in educational research and innovation are taken into account with a view to application of the most effective teaching methods.

#### **Article 5**

1. The Contracting States agree that all persons teaching in the field of technical and vocational education, whether working full time or part time, should have adequate knowledge, theoretical and practical, of their professional field of competence as well as appropriate teaching skills consistent with the type and level of the courses they are required to teach.

2. Persons teaching in technical and vocational education should be given the opportunity to update their technical formation, knowledge and skills through special courses, practical training periods in enterprises and any other organized form of activity involving contact with the world of work; in addition, they should be provided with information on and training in educational innovations that may have applications in their particular discipline and be given the opportunity to participate in relevant research and development.

3. Equal employment opportunities should be offered, without discrimination, to teachers and other specialized staff in technical and vocational education, and their employment conditions should be such that it is possible to attract, recruit and retain staff qualified in their areas of competence.

#### **Article 6**

To facilitate international co-operation, the Contracting States agree:

- (a) to encourage the collection and dissemination of information concerning innovations, ideas and experience in technical and vocational education and to participate actively in international



- exchanges dealing with study and teacher-training programmes, methods equipment standards and textbooks in the field of technical and vocational education;
- (b) to encourage the use in technical and vocational education of international technical standards applied in industry, commerce and other sectors of the economy;
  - (c) to promote approaches to achieving the recognition of equivalencies of qualifications acquired through technical and vocational education;
  - (d) to encourage international exchanges of teachers, administrators and other specialists in technical and vocational education;
  - (e) to give students from other countries, particularly from developing countries, the opportunity to receive technical and vocational education in their institutions, with a view, in particular, to facilitating the study, acquisition, adaptation, transfer and application of technology;
  - (f) to promote co-operation in technical and vocational education between all countries, but in particular between industrialized and developing countries, in order to encourage the development of the technologies of the countries;
  - (g) to mobilize resources for strengthening international co-operation in the field of technical and vocational education.

#### **Article 7**

The Contracting States shall specify, in periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization at the dates and in the form determined by it, the legislative provisions, regulations and other measures adopted by them to give effect to this Convention.

#### **Article 8**

The following provisions shall apply to those States Parties to this Convention which have a non-unitary constitutional system:

- (a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties with a centralized system;
- (b) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of federated States and constituent countries, provinces, autonomous communities or cantons that are not obliged by the general or basic constitutional system of the federation to take legislative measures, the central government shall inform the competent

authorities of such States, countries, provinces, autonomous communities or cantons of the said provisions, with its recommendation for their adoption.

### **Article 9**

Member States of UNESCO become Parties to this Convention, as well as non-member States of UNESCO which have been invited by UNESCO's Executive Board to become Parties, by depositing with the Director-General of UNESCO an instrument of ratification, acceptance, accession, or approval.

### **Article 10**

This Convention shall enter into force three months after the third instrument referred to in Article 9 has been deposited, but solely with respect to the States that have deposited their respective instruments by that date. It shall enter into force for each other State three months after that State has deposited its instrument.

### **Article 11**

1. Each Contracting State shall have the right to denounce this Convention by formal notification in writing to the Director-General of the United Nations Educational, Scientific and Cultural Organization.
2. The denunciation shall take effect 12 months after the notification has been received.

### **Article 12**

The Director-General of the United Nations Educational, Scientific and Cultural Organization shall inform the Member States of the Organization, the non-Member States covered by Article 9 and also the United Nations of the deposit of all the instruments referred to in Article 9 and the denunciations provided for in Article 11.

### **Article 13**

1. This Convention may be revised by the General Conference of the United Nations Educational, Scientific and Cultural Organization. Such revision shall, however, be binding only on States Parties to the revised Convention.

2. Should the General Conference adopt a new Convention entailing a total or partial revision of this Convention, and unless the new Convention otherwise provides, this present Convention shall cease to be open to new States Parties from the date of entry into force of the new revised Convention.

#### **Article 14**

This Convention has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.

#### **Article 15**

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of the United Nations Educational, Scientific and Cultural Organization.

Done in Paris, this sixteenth day of November 1989, in two authentic copies bearing the signature of the President of the twenty-fifth session of the General Conference and of the Director-General of the United Nations Educational, Scientific and Cultural Organization, which shall be deposited in the archives of the United Nations Educational, Scientific and Cultural Organization, and certified true copies of which shall be delivered to all the States referred to in Article 9 as well as to the United Nations.

## (B) DECLARATIONS

### DECLARATION OF THE PRINCIPLES OF INTERNATIONAL CULTURAL CO-OPERATION, 1966<sup>1</sup>

#### Introduction

*This Declaration, adopted unanimously by the General Conference on 4 November 1966, the date of the twentieth anniversary of UNESCO's foundation, was proclaimed « to the end that governments, authorities, organizations, associations and institutions responsible for cultural activities may constantly be guided by these principles » Its purpose is to advance, « through the educational, scientific and cultural relations of the peoples of the world, the objectives of peace and welfare that are defined in the Charter of the United Nations ».*

*At the same session, the General Conference adopted a resolution that « recommends this Declaration to the attention of Member States and Associate Members and invites them to publish the text of it in their respective language and to ensure that it is distributed, displayed, read and commented on ». The resolution also « requests Member States to use their best efforts to implement the provisions of this Declaration, so that it may serve the cause of peace and the well-being of mankind ».*

*The Declaration, which was worked out in the course of a lengthy series of studies and consultations undertaken in collaboration with the Member States and the Executive Board of UNESCO, originated in resolution 803 (XXX) of the United Nations Economic and Social Council (adopted in August 1960), in which UNESCO was invited to « study the possibilities of formulating principles which could serve as guiding lines for bilateral, regional and international action regarding relations and exchanges in the fields of education, science and culture ».*

*This resolution was adopted following the submission to the Economic and Social Council, at its request, of the findings of a survey carried out by UNESCO « of international relations and exchanges in the fields of education, science and culture », together with recommendations for future action.*

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<sup>1</sup> Adopted on 4 November 1966 by the General Conference of UNESCO at its fourteenth session, held in Paris.

*After stating that « each culture has a dignity and value which must be respected and preserved », that « every people has the right and duty to develop its culture and that all cultures form part of the common heritage belonging to all mankind », the Declaration sets forth the purpose of international cultural co-operation, its essential features and the principal fields in which it should be brought into play.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, met in Paris for its fourteenth session, this fourth day of November 1966, being the twentieth anniversary of the foundation of the Organization,

*Recalling* that the Constitution of the Organization declares that « since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed » and that the peace must be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind,

*Recalling* that the Constitution also states that the wide diffusion of culture and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern,

*Considering* that the Organization's Member States, believing in the pursuit of truth and the free exchange of ideas and knowledge, have agreed and determined to develop and to increase the means of communication between their peoples,

*Considering* that, despite the technical advances which facilitate the development and dissemination of knowledge and ideas, ignorance of the way of life and customs of peoples still presents an obstacle to friendship among the nations, to peaceful co-operation and to the progress of mankind,

*Taking account* of the Universal Declaration of Human Rights, the Declaration of the Rights of the Child, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the United Nations Declaration on the Elimination of all Forms of Racial Discrimination, the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, and the Declaration on the Admissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, proclaimed successively by the General Assembly of the United Nations,

*Convinced* by the experience of the Organization's first twenty years that, if international cultural co-operation is to be strengthened, its principles require to be affirmed,

*Proclaims* this Declaration of the principles of international cultural co-operation, to the end that governments, authorities, organizations, associations and institutions responsible for cultural activities may constantly be guided by these principles; and for the purpose, as set out in the Constitution of the Organization, of advancing, through the educational, scientific and cultural relations of the peoples of the world, the objectives of peace and welfare that are defined in the Charter of the United Nations:

### **Article I**

1. Each culture has a dignity and value which must be respected and preserved.
2. Every people has the right and the duty to develop its culture.
3. In their rich variety and diversity, and in the reciprocal influences they exert on one another, all cultures form part of the common heritage belonging to all mankind.

### **Article II**

Nations shall endeavour to develop the various branches of culture side by side and, as far as possible, simultaneously, so as to establish a harmonious balance between technical progress and the intellectual and moral advancement of mankind.

### **Article III**

International cultural co-operation shall cover all aspects of intellectual and creative activities relating to education, science and culture.

### **Article IV**

The aims of international cultural co-operation in its various forms, bilateral or multilateral, regional or universal, shall be:

1. To spread knowledge, to stimulate talent and to enrich cultures;

2. To develop peaceful relations and friendship among the peoples and bring about a better understanding of each other's way of life;
3. To contribute to the application of the principles set out in the United Nations Declarations that are recalled in the Preamble to this Declaration;
4. To enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life;
5. To raise the level of the spiritual and material life of man in all parts of the world.

#### **Article V**

Cultural co-operation is a right and a duty for all peoples and all nations, which should share with one another their knowledge and skills.

#### **Article VI**

International co-operation, while promoting the enrichment of all cultures through its beneficent action, shall respect the distinctive character of each.

#### **Article VII**

1. Broad dissemination of ideas and knowledge, based on the freest exchange and discussion, is essential to creative activity, the pursuit of truth and the development of the personality.
2. In cultural co-operation, stress shall be laid on ideas and values conducive to the creation of a climate of friendship and peace. Any mark of hostility in attitudes and in expression of opinion shall be avoided. Every effort shall be made, in presenting and disseminating information, to ensure its authenticity.

#### **Article VIII**

Cultural co-operation shall be carried on for the mutual benefit of all the nations practising it. Exchanges to which it gives rise shall be arranged in a spirit of broad reciprocity.

### **Article IX**

Cultural co-operation shall contribute to the establishment of stable, long-term relations between peoples, which should be subjected as little as possible to the strains which may arise in international life.

### **Article X**

Cultural co-operation shall be specially concerned with the moral and intellectual education of young people in a spirit of friendship, international understanding and peace and shall foster awareness among States of the need to stimulate talent and promote the training of the rising generations in the most varied sectors.

### **Article XI**

1. In their cultural relations, States shall bear in mind the principles of the United Nations. In seeking to achieve international co-operation, they shall respect the sovereign equality of States and shall refrain from intervention in matters which are essentially within the domestic jurisdiction of any State.
2. The principles of this Declaration shall be applied with due regard for human rights and fundamental freedoms.



# INTERNATIONAL CHARTER OF PHYSICAL EDUCATION AND SPORT, 1978<sup>1</sup>

## Introduction

*The first International Conference of Ministers and Senior Officials responsible of Physical Education and Sport, which took place in Paris in April 1976, recommended « that UNESCO develop and promulgate an international declaration, recommendation or charter on physical education and sport proclaiming the right of everyone to high quality programmes ... »; and « that Member States use the UNESCO declaration, recommendation or charter on physical education and sport in appropriate ways to assist and lend prestige to their efforts to strengthen their programmes ... »*

*In 1977, the Interim Intergovernmental Committee for Physical Education and Sport drew up a draft International Charter for Physical Education and Sport, which the General Conference unanimously approved at its twentieth session.*

*The Charter declares that the practice of physical education and sport is a fundamental right for all and forms an essential element of lifelong education in the overall education system. It stresses that international co-operation is a prerequisite for the universal and well-balanced promotion of physical education and sport. It also emphasizes that the mass media should exert a positive influence on physical education and sport.*

*The Charter also calls for the development of research and exchanges of documentation and information about physical education and sport.*

*At its first session, in 1979, the Intergovernmental Committee for Physical Education and Sport made suggestions to Member States to ensure the effective dissemination of the Charter by translating and distributing it in the national languages, by organizing meetings and seminars and by introducing references to principles of the charter in international events. Member States were also invited to bring to the knowledge of the Director-General of UNESCO any measures taken by them to publicize and apply the Charter.*

*The General Conference, at its 26th session, decided by the resolution 26C/1.10, to introduce a new article concerning the pro-*

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<sup>1</sup> Adopted on 21 November 1978 by the General Conference of UNESCO at its twentieth session, held in Paris.

*tection of the ethical and moral values of physical education and sport.*

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### **Preamble**

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris at its twentieth session, this twenty-first day of November 1978.

*Recalling* that in the United Nations Charter the peoples proclaimed their faith in fundamental human rights and in the dignity and worth of the human person, and affirmed their determination to promote social progress and better standards of life,

*Recalling* that by the terms of the Universal Declaration of Human Rights, everyone is entitled to all the rights and freedoms set forth therein without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other consideration,

*Convinced* that one of the essential conditions for the effective exercise of human rights is that everyone should be free to develop and preserve his or her physical, intellectual and moral powers, and that access to physical education and sport should consequently be assured and guaranteed for all human beings,

*Convinced* that to preserve and develop the physical, intellectual and moral powers of the human being improves the quality of life at the national and the international levels,

*Believing* that physical education and sport should make a more effective contribution to the inculcation of fundamental human values underlying the full development of peoples,

*Stressing* accordingly that physical education and sport should seek to promote closer communion between peoples and between individuals, together with disinterested emulation, solidarity and fraternity, mutual respect and understanding, and full respect for the integrity and dignity of human beings,

*Considering* that responsibilities and obligations are incumbent upon the industrialized countries and the developing countries alike for reducing the disparity which continues to exist between them in respect of free and universal access to physical education and sport,

*Considering* that to integrate physical education and sport in the natural environment is to enrich them and to inspire respect of the earth's resources and a concern to conserve them and use them for the greater good of humanity as a whole,

*Taking into account* the diversity of the forms of training and education existing in the world, but noting that, notwithstanding the differences between national sports structures, it is clearly evident that physical education and sport are not confined to physical well-being and health but also contribute to the full and well-balanced development of the human being,

*Taking into account, furthermore,* the enormous efforts that have to be made before the right to physical education and sport can become a reality for all human beings,

*Stressing* the importance for peace and friendship among peoples of co-operation between the international governmental and non-governmental organizations responsible for physical education and sport,

*Proclaims* this International Charter for the purpose of placing the development of physical education and sport at the service of human progress, promoting their development, and urging governments, competent non-governmental organizations, educators, families and individuals themselves to be guided thereby, to disseminate it and to put it into practice.

## **Article 1. The practice of physical education and sport is a fundamental right for all**

1.1. Every human being has a fundamental right of access to physical education and sport, which are essential for the full development of his personality. The freedom to develop physical, intellectual and moral powers through physical education and sport must be guaranteed both within the educational system and in other aspects of social life.

1.2. Everyone must have full opportunities, in accordance with his national tradition of sport, for practising physical education and sport, developing his physical fitness and attaining a level of achievement in sport which corresponds to his gifts.

1.3. Special opportunities must be made available for young people, including children of pre-school age, for the aged and for the handicapped to develop their personalities to the full through physical education and sport programmes suited to their requirements.

## **Article 2. Physical education and sport form an essential element of lifelong education in the overall education system**

2.1. Physical education and sport, as an essential dimension of education and culture, must develop the abilities, will-power and

self-discipline of every human being as a fully integrated member of society. The continuity of physical activity and the practice of sports must be ensured throughout life by means of a global, life-long and democratized education.

2.2. At the individual level, physical education and sport contribute to the maintenance and improvement of health, provide a wholesome leisure-time occupation and enable man to overcome the drawbacks of modern living. At the community level, they enrich social relations and develop fair play, which is essential not only to sport itself but also to life in society.

2.3. Every overall education system must assign the requisite place and importance to physical education and sport in order to establish a balance and strengthen links between physical activities and other components of education.

### **Article 3. Physical education and sport programmes must meet individual and social needs**

3.1. Physical education and sport programmes must be designed to suit the requirements and personal characteristics of those practising them, as well as the institutional, cultural, socio-economic and climatic conditions of each country. They must give priority to the requirements of disadvantaged groups in society.

3.2. In the process of education in general, physical education and sport programmes must, by virtue of both their content and their timetables, help to create habits and behaviour patterns conducive to full development of the human person.

3.3. Even when it has spectacular features, competitive sport must always aim, in accordance with the Olympic ideal, to serve the purpose of educational sport, of which it represents the crowning epitome. It must in no way be influenced by profit-seeking commercial interests.

### **Article 4. Teaching, coaching and administration of physical education and sport should be performed by qualified personnel**

4.1. All personnel who assume professional responsibility for physical education and sport must have appropriate qualifications and training. They must be carefully selected in sufficient numbers and given preliminary as well as further training to ensure that they reach adequate levels of specialization.

4.2. « Voluntary personnel », given appropriate training and supervision, can make an invaluable contribution to the comprehensive development of sport and encourage the participation of the population in the practice and organization of physical and sport activities.

4.3. Appropriate structures must be established for the training of personnel for physical education and sport. Personnel who have received such training must be given a status in keeping with the duties they perform.

#### **Article 5. Adequate facilities and equipment are essential to physical education and sport**

5.1. Adequate and sufficient facilities and equipment must be provided and installed to meet the needs of intensive and safe participation in both in-school and out-of-school programmes concerning physical education and sport.

5.2. It is incumbent on governments, public authorities, schools and appropriate private agencies, at all levels, to join forces and plan together so as to provide and make optimum use of installations, facilities and equipment for physical education and sport.

5.3. It is essential that plans for rural and urban development include provision for long-term needs in the matter of installations, facilities and equipment for physical education and sport, taking into account the opportunities offered by the natural environment.

#### **Article 6. Research and evaluation are indispensable components of the development of physical education and sport**

6.1. Research and evaluation in physical education and sport should make for the progress of all forms of sport and help to bring about an improvement in the health and safety of participants as well as in training methods and organization and management procedures. The education system will thereby benefit from innovations calculated to develop better teaching methods and standards of performance.

6.2. Scientific research, whose social implications in this sphere should not be overlooked, must be oriented in such a way that it does not allow of improper applications to physical education and sport.

## **Article 7. Protection of the ethical and moral values of physical education and sport must be a constant concern for all**

7.1. Top-class sport and sport practised by all must be protected against any abuse. The serious dangers with which phenomena such as violence, doping and commercial excesses threaten its moral values, image and prestige pervert its very nature and change its educative and health-promoting function. The public authorities, voluntary sports associations, specialized non-governmental organizations, the Olympic Movement, educators, parents, supporters' clubs, trainers, sports managers and the athletes themselves must combine their efforts in order to eliminate these evils. The media have a special role to play, in keeping with Article 8, in supporting and disseminating information about these efforts.

7.2. A prominent place must be assigned in curricula to educational activities based on the values of sport and the consequences of the interactions between sport, society and culture.

7.3. It is important that all sports authorities and sportsmen and women be conscious of the risks to athletes, and more especially to children, of precocious and inappropriate training and psychological pressures of every kind.

7.4. No effort must be spared to highlight the harmful effects of doping, which is both injurious to health and contrary to the sporting ethic, or to protect the physical and mental health of athletes, the virtues of fair play and competition, the integrity of the sporting community and the rights of people participating in it at any level whatsoever. It is crucial that the fight against doping should win the support of national and international authorities at various levels, and of parents, educators, the medical profession, the media, trainers, sports managers, and the athletes themselves, to ensure that they abide by the principles set out in the existing texts, and more particularly the International Olympic Charter against Doping in Sport. To that end, a harmonized and concerted policy must guide them in the preparation and application of anti-doping measures and of the educational action to be undertaken.

## **Article 8. Information and documentation help to promote physical education and sport**

8.1. The collection, provision and dissemination of information and documentation on physical education sport constitute a major necessity. In

particular, there is a need to circulate information on the results of research and evaluation studies concerning programmes, experiments and activities.

**Article 9. The mass media should exert a positive influence on physical education and sport**

9.1. Without prejudice to the right of freedom of information, it is essential that everyone involved in the mass media be fully conscious of his responsibilities having regard to the social importance, the humanistic purpose and the moral values embodied in physical education and sport.

9.2. Relations between those involved in the mass media and specialists in physical education and sport must be close and based on mutual confidence in order to exercise a positive influence on physical education and sport and to ensure objective and well-founded information. Training of personnel for the media may include elements relating to physical education and sport.

**Article 10. National institutions play a major role in physical education and sport**

10.1. It is essential that public authorities at all levels and specialized non-governmental bodies encourage those physical education and sport activities whose educational value is most evident. Their action shall consist in enforcing legislation and regulations, providing material assistance and adopting all other measures of encouragement, stimulation and control. The public authorities will also ensure that such fiscal measures are adopted as may encourage these activities.

10.2. It is incumbent on all institutions responsible for physical education and sport to promote a consistent, overall and decentralised plan of action in the framework of lifelong education so as to allow for continuity and co-ordination between compulsory physical activities and those practised freely and spontaneously.

**Article 11. International co-operation is a prerequisite for the universal and well-balanced promotion of physical education and sport**

11.1. It is essential that States and those international and regional intergovernmental and non-governmental organizations in which interested countries are represented and which are responsible for physical education and sport give physical education and

sport greater prominence in international bilateral and multilateral co-operation.

11.2. International co-operation must be prompted by wholly disinterested motives in order to promote and stimulate endogenous development in this field.

11.3. Through co-operation and the pursuit of mutual interests in the universal language of physical education and sport, all peoples will contribute to the preservation of lasting peace, mutual respect and friendship and will thus create a propitious climate for solving international problems. Close collaboration between all interested national and international governmental and non-governmental agencies, based on respect for the specific competence of each, will necessarily encourage the development of physical education and sport throughout the world.



# DECLARATION ON RACE AND RACIAL PREJUDICE, 1978<sup>1</sup>

## Introduction

*This Declaration adopted by the General Conference unanimously and by acclamation is evidence of the reflection and studies on the question of race carried out by UNESCO during a period of over thirty years. It deals with all aspects of the problem of race and racial prejudice on the basis of the most recent findings of the social and natural sciences and so helps to accomplish the Organization's multidisciplinary and scientific mission.*

*Moreover, this Declaration is the only basic legal instrument applicable to the general issue of racialism.*

*It is accompanied by a resolution for its implementation, and is further intended to contribute to the equality of all human beings.*

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The General Conference of the United Nations Educational Scientific and Cultural Organization, meeting in Paris at its twentieth session, on 27 November 1978 adopted unanimously and by acclamation the following Declaration:

## Preamble

*The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting at Paris at its twentieth session, from 24 October to 28 November 1978,*

*Whereas it is stated in the Preamble to the Constitution of UNESCO, adopted on 16 November 1945, that « the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races », and whereas, according to Article I of the said Constitution, the purpose of UNESCO « is to contribute to peace and security by promoting collaboration*

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<sup>1</sup> Adopted on 27 November 1978 by the General Conference of UNESCO at its twentieth session held in Paris.

among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations »,

*Recognizing* that, more than three decades after the founding of UNESCO, these principles are just as significant as they were when they were embodied in its Constitution,

*Mindful* of the process of decolonization and other historical changes which have led most of the peoples formerly under foreign rule to recover their sovereignty, making the international community a universal and diversified whole and creating new opportunities of eradicating the scourge of racism and of putting an end to its odious manifestations in all aspects of social and political life, both nationally and internationally,

*Convinced* that the essential unity of the human race and consequently the fundamental equality of all human beings and all peoples, recognized in the loftiest expressions of philosophy, morality and religion, reflect an ideal towards which ethics and science are converging today,

*Convinced* that all peoples and all human groups, whatever their composition or ethnic origin, contribute according to their own genius to the progress of the civilizations and cultures which, in their plurality and as a result of their interpenetration, constitute the common heritage of mankind,

*Confirming* its attachment to the principles proclaimed in the United Nations Charter and the Universal Declaration of Human Rights and its determination to promote the implementation of the International Covenants on Human Rights as well as the Declaration on the Establishment of a New International Economic Order,

*Determined also* to promote the implementation of the United Nations Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination,

*Noting* the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,

*Recalling also* the international instruments already adopted by UNESCO, including in particular the Convention and Recommendation against Discrimination in Education, the Recommendation concerning the Status of Teachers, the Declaration of the Principles of International Cultural Co-operation, the Recommendation concerning Education for International

Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, the Recommendations on the Status of Scientific Researchers, and the Recommendation on participation by the people at large in cultural life and their contribution to it,

*Bearing in mind* the four statements on the race question adopted by experts convened by UNESCO,

*Reaffirming* its desire to play a vigorous and constructive part in the implementation of the programme of the Decade for Action to Combat Racism and Racial Discrimination, as defined by the General Assembly of *the* United Nations at its twenty-eighth session,

*Noting* with the gravest concern that racism, racial discrimination, colonialism and apartheid continue to afflict the world in ever-changing forms, as a result both of the continuation of legislative provisions and government and administrative practices contrary to the principles of human rights and also of the continued existence of political and social structures, and of relationships and attitudes, characterized by injustice and contempt for human beings and leading to the exclusion, humiliation and exploitation, or to the forced assimilation, of the members of disadvantaged groups,

*Expressing its indignation* at these offences against human dignity, *deploring* the obstacles they place in the way of mutual understanding between peoples and *alarmed* at the danger of their seriously disturbing international peace and security,

*Adopts and solemnly proclaims* this Declaration on Race and Racial Prejudice:

### **Article 1**

1. All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all form an integral part of humanity.

2. All individuals and groups have the right to be different, to consider themselves as different and to be regarded as such. However, the diversity of life styles and the right to be different may not, in any circumstances, serve as a pretext for racial prejudice; they may not justify either in law or in fact any discriminatory practice whatsoever, nor provide a ground for the policy of apartheid, which is the extreme form of racism.

3. Identity of origin in no way affects the fact that human beings can and may live differently, nor does it preclude the existence of

differences based on cultural, environmental and historical diversity nor the right to maintain cultural identity.

4. All peoples of the world possess equal faculties for attaining the highest level in intellectual, technical, social, economic, cultural and political development.

5. The differences between the achievements of the different peoples are entirely attributable to geographical, historical, political, economic, social and cultural factors. Such differences can in no case serve as a pretext for any rank-ordered classification of nations or peoples.

## **Article 2**

1. Any theory which involves the claim that racial or ethnic groups are inherently superior or inferior, thus implying that some would be entitled to dominate or eliminate others, presumed to be inferior, or which bases value judgements on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity.

2. Racism includes racist ideologies, prejudiced attitudes, discriminatory behaviour, structural arrangements and institutionalized practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable; it is reflected in discriminatory provisions in legislation or regulations and discriminatory practices as well as in anti-social beliefs and acts; it hinders the development of its victims, perverts those who practise it, divides nations internally, impedes international co-operation and gives rise to political tensions between peoples; it is contrary to the fundamental principles of international law and, consequently, seriously disturbs international peace and security.

3. Racial prejudice, historically linked with inequalities in power, reinforced by economic and social differences between individuals and groups, and still seeking today to justify such inequalities, is totally without justification.

## **Article 3**

Any distinction, exclusion, restriction or preference based on race, colour, ethnic or national origin or religious intolerance motivated by racist considerations, which destroys or compromises the sovereign equality of States and the right of peoples to self-determina-

tion, or which limits in an arbitrary or discriminatory manner the right of every human being and group to full development is incompatible with the requirements of an international order which is just and guarantees respect for human rights; the right to full development implies equal access to the means of personal and collective advancement and fulfilment in a climate of respect for the values of civilizations and cultures, both national and worldwide.

#### **Article 4**

1. Any restriction on the complete self-fulfilment of human beings and free communication between them which is based on racial or ethnic considerations is contrary to the principle of equality in dignity and rights; it cannot be admitted.
2. One of the most serious violations of this principle is represented by apartheid, which, like genocide, is a crime against humanity, and gravely disturbs international peace and security.
3. Other policies and practices of racial segregation and discrimination constitute crimes against the conscience and dignity of mankind and may lead to political tensions and gravely endanger international peace and security.

#### **Article 5**

1. Culture, as a product of all human beings and a common heritage of mankind, and education in its broadest sense, offer men and women increasingly effective means of adaptation, enabling them not only to affirm that they are born equal in dignity and rights, but also to recognize that they should respect the right of all groups to their own cultural identity and the development of their distinctive cultural life within the national and international contexts, it being understood that it rests with each group to decide in complete freedom on the maintenance, and, if appropriate, the adaptation or enrichment of the values which it regards as essential to its identity.
2. States, in accordance with their constitutional principles and procedures, as well as all other competent authorities and the entire teaching profession, have a responsibility to see that the educational resources of all countries are used to combat racism, more especially by ensuring that curricula and textbooks include scientific and ethical considerations concerning human unity and diversity and that no invidious distinctions are made with regard to any people; by training teachers to achieve these ends; by making the

resources of the educational system available to all groups of the population without racial restriction or discrimination; and by taking appropriate steps to remedy the handicaps from which certain racial or ethnic groups suffer with regard to their level of education and standard of living and in particular to prevent such handicaps from being passed on to children.

3. The mass media and those who control or serve them, as well as all organized groups within national communities, are urged - with due regard to the principles embodied in the Universal Declaration of Human Rights, particularly the principle of freedom of expression - to promote understanding, tolerance and friendship among individuals and groups and to contribute to the eradication of racism, racial discrimination and racial prejudice, in particular by refraining from presenting a stereotyped, partial, unilateral or tendentious picture of individuals and of various human groups. Communication between racial and ethnic groups must be a reciprocal process, enabling them to express themselves and to be fully heard without let or hindrance. The mass media should therefore be freely receptive to ideas of individuals and groups which facilitate such communication.

#### **Article 6**

1. The State has prime responsibility for ensuring human rights and fundamental freedoms on an entirely equal footing in dignity and rights for all individuals and all groups.

2. So far as its competence extends and in accordance with its constitutional principles and procedures, the State should take all appropriate steps, *inter alia* by legislation, particularly in the spheres of education, culture and communication, to prevent, prohibit and eradicate racism, racist propaganda, racial segregation and apartheid and to encourage the dissemination of knowledge and the findings of appropriate research in natural and social sciences on the causes and prevention of racial prejudice and racist attitudes, with due regard to the principles embodied in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

3. Since laws proscribing racial discrimination are not in themselves sufficient, it is also incumbent on States to supplement them by administrative machinery for the systematic investigation of instances of racial discrimination, by a comprehensive framework of legal remedies against acts of racial discrimination, by broadly based education and research programmes designed to combat

racial prejudice and racial discrimination and by programmes of positive political, social, educational and cultural measures calculated to promote genuine mutual respect among groups. Where circumstances warrant, special programmes should be undertaken to promote the advancement of disadvantaged groups and, in the case of nationals, to ensure their effective participation in the decision-making processes of the community.

#### **Article 7**

In addition to political, economic and social measures, law is one of the principal means of ensuring equality in dignity and rights among individuals, and of curbing any propaganda, any form of organization or any practice which is based on ideas or theories referring to the alleged superiority of racial or ethnic groups or which seeks to justify or encourage racial hatred and discrimination in any form. States should adopt such legislation as is appropriate to this end and see that it is given effect and applied by all their services, with due regard to the principles embodied in the Universal Declaration of Human Rights. Such legislation should form part of a political, economic and social framework conducive to its implementation. Individuals and other legal entities, both public and private, must conform with such legislation and use all appropriate means to help the population as a whole to understand and apply it.

#### **Article 8**

1. Individuals, being entitled to an economic, social, cultural and legal order, on the national and international planes, such as to allow them to exercise all their capabilities on a basis of entire equality of rights and opportunities, have corresponding duties towards their fellows, towards the society in which they live and towards the international community. They are accordingly under an obligation to promote harmony among the peoples, to combat racism and racial prejudice and to assist by every means available to them in eradicating racial discrimination in all its forms.

2. In the field of racial prejudice and racist attitudes and practices, specialists in natural and social sciences and cultural studies, as well as scientific organizations and associations, are called upon to undertake objective research on a wide interdisciplinary basis; all States should encourage them to this end.

3. It is, in particular, incumbent upon such specialists to ensure, by all means available to them, that their research findings are not

misinterpreted, and also that they assist the public in understanding such findings.

### **Article 9**

1. The principle of the equality in dignity and rights of all human beings and all peoples, irrespective of race, colour and origin, is a generally accepted and recognized principle of international law. Consequently any form of racial discrimination practised by a State constitutes a violation of international law giving rise to its international responsibility.

2. Special measures must be taken to ensure equality in dignity and rights for individuals and groups wherever necessary, while ensuring that they are not such as to appear racially discriminatory. In this respect, particular attention should be paid to racial or ethnic groups which are socially or economically disadvantaged, so as to afford them, on a completely equal footing and without discrimination or restriction, the protection of the laws and regulations and the advantages of the social measures in force, in particular in regard to housing, employment and health; to respect the authenticity of their culture and values; and to facilitate their social and occupational advancement, especially through education.

3. Population groups of foreign origin, particularly migrant workers and their families who contribute to the development of the host country, should benefit from appropriate measures designed to afford them security and respect for their dignity and cultural values and to facilitate their adaptation to the host environment and their professional advancement with a view to their subsequent reintegration in their country of origin and their contribution to its development; steps should be taken to make it possible for their children to be taught their mother tongue.

4. Existing disequilibria in international economic relations contribute to the exacerbation of racism and racial prejudice; all States should consequently endeavour to contribute to the restructuring of the international economy on a more equitable basis.

### **Article 10**

International organizations, whether universal or regional, governmental or non-governmental, are called upon to co-operate and assist, so far as their respective fields of competence and means allow, in the full and complete implementation of the principles set out in this Declaration, thus contributing to the legitimate struggle



of all men, born equal in dignity and rights, against the tyranny and oppression of racism, racial segregation, apartheid and genocide, so that all the peoples of the world may be forever delivered from these scourges.

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## **RESOLUTION FOR IMPLEMENTATION OF THE DECLARATION**

The General Conference, at its twentieth session,  
*Considering* that UNESCO, by reason of the responsibilities devolving upon it under its Constitution in the fields of education, science, culture and communication, is required to call the attention of States and peoples to the problems related to all aspects of the question of race and racial prejudice,  
*Having regard* to the UNESCO Declaration on Race and Racial Prejudice adopted this twenty-seventh day of November 1978,

### *1. Urges* Member States

- (a) to consider the possibility of ratifying, if they have not yet done so, the international instruments designed to aid in countering and eliminating racial discrimination, and in particular the International Convention on the Elimination of all Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the UNESCO Convention against Discrimination in Education;
- (b) to take appropriate measures, including the passing of laws, guided by the provisions of Articles 4 and 6 of the International Convention on the Elimination of All Forms of Racial Discrimination, with a view to preventing and punishing acts of racial discrimination and ensuring that fair and adequate reparation is made to the victims of racial discrimination;
- (c) to communicate to the Director-General all necessary information concerning the steps they have taken to give effect to the principles set forth in the Declaration;

### *2. Invites* the Director-General:

- (a) to prepare a comprehensive report on the world situation in the fields covered by the Declaration, on the basis of the information supplied by Member States and of any other information supported by trustworthy evidence which he may have gathered by such methods as he may think fit, and to enlist for this

- purpose, if he deems it advisable, the help of one or more independent experts of recognized competence in these fields;
- (b) to take due account, when preparing his report, which should be accompanied by any observations he may deem appropriate, of the work of the various international bodies set up to give effect to the legal instruments concerning the struggle against racialism and racial discrimination, or contributing to that struggle through their activities in the general field of human rights;
  - (c) to present his report to the General Conference and to submit to it for decision, on the basis of the said report and of the discussion it will then have held, with due priority, on the problems of race and racial prejudice, any general comments and any recommendations deemed necessary to promote the implementation of the Declaration;
  - (d) to ensure the widest possible dissemination of the text of the Declaration and, to that end, to publish and arrange for the distribution of the text not only in the official languages but also in as many languages as is possible with the resources available to him;
  - (e) to communicate the Declaration to the Secretary-General of the United Nations with a request that he place before the United Nations General Assembly appropriate proposals for strengthening the methods of peaceful settlement of disputes concerning the elimination of racial discrimination.

# DECLARATION ON FUNDAMENTAL PRINCIPLES CONCERNING THE CONTRIBUTION OF THE MASS MEDIA TO STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING, TO THE PROMOTION OF HUMAN RIGHTS AND TO COUNTERING RACIALISM, APARTHEID AND INCITEMENT TO WAR, 1978<sup>1</sup>

## Introduction

*Adopted unanimously and by acclamation by the General Conference, this Declaration lays, within the areas defined in its title the foundations for a new ethic to which all those who make and distribute information can adhere. By adopting this Declaration, the international community has given itself body of principles and ideals which all those who are anxious to work for justice and peace can take as a basis when determining their policies and practices. The Declaration has strengthened the foundations of UNESCO's action for the establishment of conditions for a freer flow and wider and more balanced distribution of information, and also on behalf of the protection of journalists.*

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## Preamble

The General Conference,

*Recalling* that by virtue of its Constitution the purpose of UNESCO is to 'contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms' (Art. I, 1), and that to realize this purpose the Organization will strive 'to promote the free flow of ideas by word and image' (Art. I, 2),

*Further recalling* that under the Constitution the Member States of UNESCO, 'believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and

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<sup>1</sup> Adopted on 22 November 1978 by the General Conference of UNESCO at its twentieth session held in Paris.

determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives' (sixth preambular paragraph),

*Recalling* the purposes and principles of the United Nations, as specified in its Charter,

*Recalling* the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948 and particularly Article 19 thereof, which provides 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'; and the International Covenant on Civil and Political Rights, adopted by the General Assembly of the United Nations in 1966, Article 19 of which proclaims the same principles and Article 20 of which condemns incitement to war, the advocacy of national, racial or religious hatred and any form of discrimination, hostility or violence,

*Recalling* Article 4 of the International Convention on the Elimination of all Forms of Racial Discrimination, adopted by the General Assembly of the United Nations in 1965, and the International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the General Assembly of the United Nations in 1973, whereby the States acceding to these Conventions undertook to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, racial discrimination, and agreed to prevent any encouragement of the crime of apartheid and similar segregationist policies or their manifestations,

*Recalling* the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, adopted by the General Assembly of the United Nations in 1965,

*Recalling* the declarations and resolutions adopted by the various organs of the United Nations concerning the establishment of a new international economic order and the role UNESCO is called upon to play in this respect,

*Recalling* the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of UNESCO in 1966,

*Recalling* Resolution 59(I) of the General Assembly of the United Nations, adopted in 1946 and declaring:

« Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated;

Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent;

*Recalling* Resolution 110(II) of the General Assembly of the United Nations, adopted in 1947, condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression,

*Recalling* resolution 127(II), also adopted by the General Assembly in 1947, which invites Member States to take measures, within the limits of constitutional procedures, to combat the diffusion of false or distorted reports likely to injure friendly relations between States, as well as the other resolutions of the General Assembly concerning the mass media and their contribution to strengthening peace, trust and friendly relations among States,

*Recalling* resolution 9.12 adopted by the General Conference of UNESCO in 1968, reiterating UNESCO's objective to help to eradicate colonialism and racialism, and resolution 12.1 adopted by the General Conference in 1976, which proclaims that colonialism, neo-colonialism and racialism in all its forms and manifestations are incompatible with the fundamental aims of UNESCO,

*Recalling* resolution 4.301 adopted in 1970 by the General Conference of UNESCO on the contribution of the information media to furthering international understanding and co-operation in the interests of peace and human welfare, and to countering propaganda on behalf of war, racialism, apartheid and hatred among nations, and *aware* of the fundamental contribution that mass media can make to the realizations of these objectives,

*Recalling* the Declaration on Race and Racial Prejudice adopted by the General Conference of UNESCO at its twentieth session,

*Conscious* of the complexity of the problems of information in modern society, of the diversity of solutions which have been offered to them, as evidenced in particular by the consideration given to them within UNESCO, and of the legitimate desire of all parties concerned that their aspirations, points of view and cultural identity be taken into due consideration,

*Conscious* of the aspirations of the developing countries for the establishment of a new, more just and more effective world information and communication order,

*Proclaims* on this twenty-eighth day of November 1978 this Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War.

### **Article I**

The strengthening of peace and international understanding, the promotion of human rights and the countering of racism, apartheid and incitement to war demand a free flow and a wider and better balanced dissemination of information. To this end, the mass media have a leading contribution to make. This contribution will be the more effective to the extent that the information reflects the different aspects of the subject dealt with.

### **Article II**

1. The exercise of freedom of opinion, expression and information, recognized as an integral part of human rights and fundamental freedoms, is a vital factor in the strengthening of peace and international understanding.
2. Access by the public to information should be guaranteed by the diversity of the sources and means of information available to it, thus enabling each individual to check the accuracy of facts and to appraise events objectively. To this end, journalists must have freedom to report and the fullest possible facilities of access to information. Similarly, it is important that the mass media be responsive to concerns of peoples and individuals, thus promoting the participation of the public in the elaboration of information.
3. With a view to the strengthening of peace and international understanding, to promoting human rights and to countering racism, apartheid and incitement to war, the mass media throughout the world, by reason of their role, contribute to promoting human rights, in particular by giving expression to oppressed peoples who struggle against colonialism, neo-colonialism, foreign occupation and all forms of racial discrimination and oppression and who are unable to make their voices heard within their own territories.
4. If the mass media are to be in a position to promote the principles of this Declaration in their activities, it is essential that journalists and other agents of the mass media, in their own country or abroad, be assured of protection guaranteeing them the best conditions for the exercise of their profession.

### **Article III**

1. The mass media have an important contribution to make to the strengthening of peace and international understanding and in countering racialism, apartheid and incitement to war.

2. In countering aggressive war, racialism, apartheid and other violations of human rights which are *inter alia* spawned by prejudice and ignorance, the mass media, by disseminating information on the aims, aspirations, cultures and needs of all peoples, contribute to eliminate ignorance and misunderstanding between peoples, to make nationals of a country sensitive to the needs and desires of others, to ensure the respect of the rights and dignity of all nations, all peoples and all individuals without distinction of race, sex, language, religion or nationality and to draw attention to the great evils which afflict humanity, such as poverty, malnutrition and diseases, thereby promoting the formulation by States of the policies best able to promote the reduction of international tension and the peaceful and equitable settlement of international disputes.

### **Article IV**

The mass media have an essential part to play in the education of young people in a spirit of peace, justice, freedom, mutual respect and understanding, in order to promote human rights, equality of rights as between all human beings and all nations, and economic and social progress. Equally, they have an important role to play in making known the views and aspirations of the younger generation.

### **Article V**

In order to respect freedom of opinion, expression and information and in order that information may reflect all points of view, it is important that the points of view presented by those who consider that the information published or disseminated about them has seriously prejudiced their effort to strengthen peace and international understanding, to promote human rights or to counter racialism, apartheid and incitement to war be disseminated.

## **Article VI**

For the establishment of a new equilibrium and greater reciprocity in the flow of information, which will be conducive to the institution of a just and lasting peace and to the economic and political independence of the developing countries, it is necessary to correct the inequalities in the flow of information to and from developing countries, and between those countries. To this end, it is essential that their mass media should have conditions and resources enabling them to gain strength and expand, and to co-operate both among themselves and with the mass media in developed countries.

## **Article VII**

By disseminating more widely all of the information concerning the universally accepted objectives and principles which are the bases of the resolutions adopted by the different organs of the United Nations, the mass media contribute effectively to the strengthening of peace and international understanding, to the promotion of human rights, and to the establishment of a more just and equitable international economic order.

## **Article VIII**

Professional organizations, and people who participate in the professional training of journalists and other agents of the mass media and who assist them in performing their functions in a responsible manner should attach special importance to the principles of this Declaration when drawing up and ensuring application of their codes of ethics.

## **Article IX**

In the spirit of this Declaration, it is for the international community to contribute to the creation of the conditions for a free flow and wider and more balanced dissemination of information, and of the conditions for the protection, in the exercise of their functions, of journalists and other agents of the mass media. UNESCO is well placed to make a valuable contribution in this respect.

## **Article X**

1. With due respect for constitutional provisions designed to guarantee freedom of information and for the applicable international instruments and agreements, it is indispensable to create



and maintain throughout the world the conditions which make it possible for the organizations and persons professionally involved in the dissemination of information to achieve the objectives of this Declaration.

2. It is important that a free flow and wider and better balanced dissemination of information be encouraged.

3. To this end, it is necessary that States facilitate the procurement by the mass media in the developing countries of adequate conditions and resources enabling them to gain strength and expand, and that they support co-operation by the latter both among themselves and with the mass media in developed countries.

4. Similarly, on a basis of equality of rights, mutual advantage and respect for the diversity of the cultures which go to make up the common heritage of mankind, it is essential that bilateral and multilateral exchanges of information among all States, and in particular between those which have different economic and social systems, be encouraged and developed.

#### **Article XI**

For this declaration to be fully effective it is necessary, with due respect for the legislative and administrative provisions and the other obligations of Member States, to guarantee the existence of favourable conditions for the operation of the mass media, in conformity with the provisions of the Universal Declaration of Human Rights and with the corresponding principles proclaimed in the International Covenant on Civil and Political Rights adopted by the General Assembly of the United Nations in 1966.

# DECLARATION OF PRINCIPLES ON TOLERANCE, 1995<sup>1</sup>

## Introduction

*On the initiative of UNESCO, the United Nations General Assembly proclaimed 1995 the United Nations Year for Tolerance and designated UNESCO as lead agency for this Year.*

*In conformity with its mandate and in order to call public attention worldwide to the urgent matter of tolerance, the General Conference of UNESCO solemnly adopted on 16 November 1995 - the 50th anniversary of the signature of UNESCO's Constitution - the Declaration of the Principles of Tolerance.*

*The Member States of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris at the twenty-eighth session of the General Conference, from 25 October to 16 November 1995,*

## Preamble

*Bearing in mind* that the United Nations Charter states «We, the peoples of the United Nations determined to save succeeding generations from the scourge of war, ... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, ... and for these ends to practise tolerance and live together in peace with one another as good neighbours»,

*Recalling* that the Preamble to the Constitution of UNESCO, adopted on 16 November 1945, states that «peace, if it is not to fail, must be founded on the intellectual and moral solidarity of mankind»,

*Recalling also* that the Universal Declaration of Human Rights affirms that «Everyone has the right to freedom of thought, conscience and religion» (Article 18), «of opinion and expression» (Article 19), and that education «should promote understanding, tolerance and friendship among all nations, racial or religious groups» (Article 26),

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<sup>1</sup> Solemnly adopted by acclamation on 16 November 1995 at the twenty-eighth session of the UNESCO General Conference.

*Noting* relevant international instruments including:  
the International Covenant on Civil and Political Rights,  
the International Covenant on Economic, Social and Cultural Rights,  
the Convention on the Elimination of All Forms of Racial Discrimination,  
the Convention on the Prevention and Punishment of the Crime of Genocide,  
the Convention on the Rights of the Child,  
the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and regional instruments,  
the Convention on the Elimination of All Forms of Discrimination against Women,  
the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment,  
the Declaration on the Elimination of All Forms of Intolerance Based on Religion or Belief,  
the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,  
the Declaration on Measures to Eliminate International Terrorism,  
the Vienna Declaration and Programme of Action of the World Conference on Human Rights,  
the Copenhagen Declaration and Programme of Action adopted by the World Summit for Social Development,  
the UNESCO Declaration on Race and Racial Prejudice,  
the UNESCO Convention and Recommendation against Discrimination in Education,

*Bearing in mind* the objectives of the Third Decade to Combat Racism and Racial Discrimination, the World Decade for Human Rights Education, and the International Decade of the World's Indigenous People,

*Taking into consideration* the recommendations of regional conferences organized in the framework of the United Nations Year for Tolerance in accordance with UNESCO General Conference 27 C/Resolution 5.14, as well as the conclusions and recommendations of other conferences and meetings organized by Member States within the programme of the United Nations Year for Tolerance,

*Alarmed* by the current rise in acts of intolerance, violence, terrorism, xenophobia, aggressive nationalism, racism, anti-Semitism, exclusion, marginalization and discrimination directed against national, ethnic, religious and linguistic

minorities, refugees, migrant workers, immigrants and vulnerable groups within societies, as well as acts of violence and intimidation committed against individuals exercising their freedom of opinion and expression - all of which threaten the consolidation of peace and democracy both nationally and internationally and which are all obstacles to development,

*Emphasizing* the responsibilities of Member States to develop and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, gender, language, national origin, religion or disability, and to combat intolerance,

**Adopt and solemnly proclaim this Declaration of Principles on Tolerance.**

*Resolving* to take all positive measures necessary to promote tolerance in our societies, because tolerance is not only a cherished principle, but also a necessity for peace and for the economic and social advancement of all peoples.

*We declare* the following:

### **Article 1 - Meaning of tolerance**

- 1.1 Tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication and freedom of thought, conscience and belief. Tolerance is harmony in difference. It is not only a moral duty, it is also a political and legal requirement. Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace.
- 1.2 Tolerance is not concession, condescension or indulgence. Tolerance is, above all, an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values. Tolerance is to be exercised by individuals, groups and States.
- 1.3 Tolerance is the responsibility that upholds human rights, pluralism (including cultural pluralism), democracy and the rule of law. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments.

- 1.4 Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means that one is free to adhere to one's own convictions and accepts that others adhere to theirs. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to live in peace and to be as they are. It also means that one's views are not to be imposed on others.

### **Article 2 - State level**

- 2.1 Tolerance at the State level requires just and impartial legislation, law enforcement and judicial and administrative process. It also requires that economic and social opportunities be made available to each person without any discrimination. Exclusion and marginalization can lead to frustration, hostility and fanaticism.
- 2.2. In order to achieve a more tolerant society, States should ratify existing international human rights conventions, and draft new legislation where necessary to ensure equality of treatment and of opportunity for all groups and individuals in society.
- 2.3 It is essential for international harmony that individuals, communities and nations accept and respect the multicultural character of the human family. Without tolerance there can be no peace, and without peace there can be no development or democracy.
- 2.4 Intolerance may take the form of marginalization of vulnerable groups and their exclusion from social and political participation, as well as violence and discrimination against them. As confirmed in the Declaration on Race and Racial Prejudice, «All individuals and groups have the right to be different» (Article 1.2).

### **Article 3 - Social dimensions**

- 3.1 In the modern world, tolerance is more essential than ever before. It is an age marked by the globalization of the economy and by rapidly increasing mobility, communication, integration and interdependence, large-scale migrations and displacement of populations, urbanization and changing social patterns. Since every part of the world is characterized by diversity,

escalating intolerance and strife potentially menaces every region. It is not confined to any country, but is a global threat.

- 3.2 Tolerance is necessary between individuals and at the family and community levels. Tolerance promotion and the shaping of attitudes of openness, mutual listening and solidarity should take place in schools and universities, and through non-formal education, at home and in the workplace. The communication media are in a position to play a constructive role in facilitating free and open dialogue and discussion, disseminating the values of tolerance, and highlighting the dangers of indifference towards the rise in intolerant groups and ideologies.
- 3.3 As affirmed by the UNESCO Declaration on Race and Racial Prejudice, measures must be taken to ensure equality in dignity and rights for individuals and groups wherever necessary. In this respect, particular attention should be paid to vulnerable groups which are socially or economically disadvantaged so as to afford them the protection of the laws and social measures in force, in particular with regard to housing, employment and health, to respect the authenticity of their culture and values, and to facilitate their social and occupational advancement and integration, especially through education.
- 3.4 Appropriate scientific studies and networking should be undertaken to co-ordinate the international community's response to this global challenge, including analysis by the social sciences of root causes and effective countermeasures, as well as research and monitoring in support of policy-making and standard-setting action by Member States.

#### **Article 4 - Education**

- 4.1 Education is the most effective means of preventing intolerance. The first step in tolerance education is to teach people what their shared rights and freedoms are, so that they may be respected, and to promote the will to protect those of others.
- 4.2 Education for tolerance should be considered an urgent imperative; that is why it is necessary to promote systematic and rational tolerance teaching methods that will address the cultural, social, economic, political and religious sources of intolerance - major roots of violence and exclusion. Education policies and programmes should contribute to development of understanding, solidarity and tolerance among individuals as

well as among ethnic, social, cultural, religious and linguistic groups and nations.

- 4.3 Education for tolerance should aim at countering influences that lead to fear and exclusion of others, and should help young people to develop capacities for independent judgement, critical thinking and ethical reasoning.
- 4.4 We pledge to support and implement programmes of social science research and education for tolerance, human rights and non-violence. This means devoting special attention to improving teacher training, curricula, the content of textbooks and lessons, and other educational materials including new educational technologies, with a view to educating caring and responsible citizens open to other cultures, able to appreciate the value of freedom, respectful of human dignity and differences, and able to prevent conflicts or resolve them by non-violent means.

#### **Article 5 - Commitment to action**

We commit ourselves to promoting tolerance and non-violence through programmes and institutions in the fields of education, science, culture and communication.

#### **Article 6 - International Day for Tolerance**

In order to generate public awareness, emphasize the dangers of intolerance and react with renewed commitment and action in support of tolerance promotion and education, we solemnly proclaim 16 November the annual International Day for Tolerance.

## (C) RECOMMENDATIONS

### RECOMMENDATION AGAINST DISCRIMINATION IN EDUCATION, 1960<sup>1</sup>

#### Introduction

*The adoption by the General Conference of this Recommendation at the same time as the Convention against discrimination in education meets the desire to take account of the difficulties that some Member States might have, for various reasons, in particular owing to their federal structure, in ratifying the Convention. Apart from the inherent differences in wording and legal scope of these two categories of instrument, the Recommendation is identical in content with the Convention.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 14 November to 15 December 1960, at its eleventh session,  
*Recalling* that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that every person has the right to education,  
*Considering* that discrimination in education is a violation of rights enunciated in that Declaration,  
*Considering* that, under the terms of its Constitution, the United Nations Educational, Scientific and Cultural Organization has the purpose of instituting collaboration among the nations with a view to furthering for all universal respect for human rights and equality of educational opportunity,  
*Recognizing* that, consequently, the United Nations Educational, Scientific and Cultural Organization, while respecting the diversity of the national educational systems, has the duty not only to proscribe any form of discrimination in education but also to promote equality of opportunity and treatment for all in education,

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<sup>1</sup> Adopted on 14 December 1960 by the General Conference of UNESCO at the eleventh session, held in Paris.



*Having before it* proposals concerning the different aspects of discrimination in education, constituting item 17.1.4 of the agenda of the session,

*Having decided* at its tenth session that this question should be made the subject of an international convention as well as of recommendations to Member States,

*Adopts* this Recommendation on the fourteenth day of December 1960.

The General Conference recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles set forth in this Recommendation.

## I

1. For the purposes of this Recommendation, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

(a) Of depriving any person or group of persons of access to education of any type or at any level;

(b) Of limiting any person or group of persons to education of an inferior standard;

(c) Subject to the provisions of section II of this Recommendation, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or

(d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man.

2. For the purposes of this Recommendation, the term 'education' refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

## II

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of section I of this Recommendation:

(a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same

standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;

- (b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;
- (c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

### III

In order to eliminate and prevent discrimination within the meaning of this Recommendation, Member States should:

- (a) Abrogate any statutory provisions and any administrative instructions and discontinue any administrative practices which involve discrimination in education;
- (b) Ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;
- (d) Not allow, in any form of assistance granted by the public authorities to educational institutions, any restriction or preference based solely on the ground that pupils belong to a particular group;
- (e) Give foreign nationals resident within their territory the same access to education as that given to their own nationals.

### IV

Member States should furthermore formulate, develop and apply a national policy which, by methods appropriate to the circumstances

and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

- (a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;
- (b) To ensure that the standards of education are equivalent in all public educational institutions of the same level, and that the conditions relating to the quality of the education provided are also equivalent;
- (c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;
- (d) To provide training for the teaching profession without discrimination.

## V

Member States should take all necessary measures to ensure the application of the following principles:

- (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; 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;
- (b) It is essential to respect the liberty of parents and, where applicable, of legal guardians firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure, in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their convictions;
- (c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

- (i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;
- (ii) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and
- (iii) That attendance at such schools is optional.

## VI

In the application of this Recommendation, Member States should pay the greatest attention to any recommendations hereafter adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization defining the measures to be taken against the different forms of discrimination in education and for the purpose of ensuring equality of opportunity and of treatment in education.

## VII

Member States should in their periodic reports submitted to the General Conference of the United Nations Educational, Scientific and Cultural Organization, on dates and in a manner to be determined by it, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Recommendation, including that taken for the formulation and the development of the national policy defined in section IV as well as the results achieved and the obstacles encountered in the application of that policy.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eleventh session, which was held in Paris and declared closed the fifteenth day of December 1960.

IN FAITH WHEREOF we have appended our signatures this fifteenth day of December 1960.

*The President of the General  
Conference*

*The Director-General*

# RECOMMENDATION CONCERNING THE STATUS OF TEACHERS, 1966<sup>1</sup>

## Introduction

*The text of the recommendation was adopted by an Intergovernmental Conference convened by UNESCO at which the International Labour Organisation was represented by a tripartite delegation of its Governing Body. It is the outcome of a process of some twenty years of discussion and reflection in governmental organizations, such as UNESCO, ILO and IBE, and national and international organizations of teachers.*

*After setting out a number of general principles applicable to the status of teachers and to educational objectives and policies, the Recommendation deals with preparation for the teaching profession, further education for teachers, employment and career, the rights and responsibilities of teachers, conditions for effective teaching and learning, teachers' salaries, social security for teachers and, finally, measures to be taken in the event of teacher shortage. It contains 146 paragraphs which cover an extensive field of teachers' professional and social conditions.*

*In conformity with the desire expressed by the 1966 Intergovernmental Conference, a joint ILO/UNESCO Committee was set up which examines the reports of Member States on the application of the Recommendation, on the basis of questionnaires sent out to them. The joint Committee then reports to the competent organs of the two organizations. Two reports have so far been submitted, in 1970 and 1976; a third is due in 1982.*

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The Special Intergovernmental Conference on the Status of Teachers,

*Recalling that the right to education is a fundamental human right, Conscious of the responsibility of the States for the provision of proper education for all in fulfilment of Article 26 of the Universal Declaration of Human Rights, of Principles 5, 7 and 10 of the Declaration of the Rights of the Child and of*

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<sup>1</sup> Adopted in Paris on 5 October 1966 by a special Intergovernmental Conference convened by Unesco.

the United Nations Declaration concerning the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples,

*Aware* of the need for more extensive and widespread general and technical and vocational education, with a view to making full use of all the talent and intelligence available as an essential contribution to continued moral and cultural progress and economic and social advancement,

*Recognizing* the essential role of teachers in educational advancement and the importance of their contribution to the development of man and modern society,

*Concerned* to ensure that teachers enjoy the status commensurate with this role,

*Taking into account* the great diversity of the laws, regulations and customs which, in different countries, determine the patterns and organization of education,

*Taking also into account* the diversity of the arrangements which in different countries apply to teaching staff, in particular according to whether the regulations concerning the public service apply to them,

*Convinced* that in spite of these differences similar questions arise in all countries with regard to the status of teachers and that these questions call for the application of a set of common standards and measures, which it is the purpose of this Recommendation to set out,

*Noting* the terms of existing international conventions which are applicable to teachers, and in particular of instruments concerned with basic human rights such as the Freedom of Association and Protection of the Right to Organize Convention, 1948, the Right to Organize and Collective Bargaining Convention, 1949, the Equal Remuneration Convention, 1951, and the Discrimination (Employment and Occupation) Convention, 1958, adopted by the General Conference of the International Labour Organisation, and the Convention against Discrimination in Education, 1960, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

*Noting* also the recommendations on various aspects of the preparation and the status of teachers in primary and secondary schools adopted by the International Conference on Public Education convened jointly by the United Nations Educational, Scientific and Cultural Organization and the International Bureau of Education, and the Recommendation concerning Technical and Vocational Education, 1962, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

*Desiring* to supplement existing standards by provisions relating to problems of peculiar concern to teachers and to remedy the problems of teacher shortage,  
Has adopted this Recommendation:

### **I. Definitions**

1. For the purpose of the Recommendation:
  - (a) the word 'teacher' covers all those persons in schools who are responsible for the education of pupils;
  - (b) the expression 'status' as used in relation to teachers means both the standing or regard accorded them, as evidenced by the level of appreciation of the importance of their function and of their competence in performing it, and the working conditions, remuneration and other material benefits accorded them relative to other professional groups.

### **II. Scope**

2. This Recommendation applies to all teachers in both public and private schools up to the completion of the secondary stage of education, whether nursery, kindergarten, primary, intermediate or secondary, including those providing technical, vocational, or art education.

### **III. Guiding principles**

3. Education from the earliest school years should be directed to the all-round development of the human personality and to the spiritual, moral, social, cultural and economic progress of the community, as well as to the inculcation of deep respect for human rights and fundamental freedoms; within the framework of these values the utmost importance should be attached to the contribution to be made by education to peace and to understanding, tolerance and friendship among all nations and among racial or religious groups.
4. It should be recognized that advance in education depends largely on the qualifications and ability of the teaching staff in general and on the human, pedagogical and technical qualities of the individual teachers.
5. The status of teachers should be commensurate with the needs of education as assessed in the light of educational aims and objectives; it should be recognized that the proper status of teachers and

due public regard for the profession of teaching are of major importance for the full realization of these aims and objectives.

6. 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 for the education and welfare of the pupils in their charge.

7. All aspects of the preparation and employment of teachers should be free from any form of discrimination on grounds of race, colour, sex, religion, political opinion, national or social origin, or economic condition.

8. Working conditions for teachers should be such as will best promote effective learning and enable teachers to concentrate on their professional tasks.

9. Teachers' organizations should be recognized as a force which can contribute greatly to educational advance and which therefore should be associated with the determination of educational policy.

#### **IV. Educational objectives and policies**

10. Appropriate measures should be taken in each country to the extent necessary to formulate comprehensive educational policies consistent with the Guiding Principles, drawing on all available resources, human and otherwise. In so doing, the competent authorities should take account of the consequences for teachers of the following principles and objectives:

- (a) it is the fundamental right of every child to be provided with the fullest possible educational opportunities; due attention should be paid to children requiring special educational treatment;
- (b) all facilities should be made available equally to enable every person to enjoy his right to education without discrimination on grounds of sex, race, colour, religion, political opinion, national or social origin, or economic condition;
- (c) since education is a service of fundamental importance in the general public interest, it should be recognized as a responsibility of the State, which should provide an adequate network of schools, free education in these schools and material assistance to needy pupils; this should not be construed so as to interfere with the liberty of the parents and, when applicable, legal guardians to choose for their



- children schools other than those established by the State, or so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions which conform to such minimum educational standards as may be laid down or approved by the State;
- (d) since education is an essential factor in economic growth, educational planning should form an integral part of total economic and social planning undertaken to improve living conditions;
  - (e) since education is a continuous process the various branches of the teaching service should be so co-ordinated as both to improve the quality of education for all pupils and to enhance the status of teachers;
  - (f) there should be free access to a flexible system of schools, properly interrelated, so that nothing restricts the opportunities for each child to progress to any level in any type of education;
  - (g) as an educational objective, no State should be satisfied with mere quantity, but should seek also to improve quality;
  - (h) in education both long-term and short-term planning and programming are necessary; the efficient integration in the community of today's pupils will depend more on future needs than on present requirements;
  - (i) all educational planning should include at each stage early provision for the training, and the further training, of sufficient numbers of fully competent and qualified teachers of the country concerned who are familiar with the life of their people and able to teach in the mother tongue;
  - (j) co-ordinated systematic and continuing research and action in the field of teacher preparation and in-service training are essential, including, at the international level, co-operative projects and the exchange of research findings;
  - (k) there should be close co-operation between the competent authorities, organizations of teachers, of employers and workers, and of parents as well as cultural organizations and institutions of learning and research, for the purpose of defining educational policy and its precise objectives;
  - (l) 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.

## **V. Preparation for the profession**

### *Selection*

11. Policy governing entry into preparation for teaching should rest on the need to provide society with an adequate supply of teachers who possess the necessary moral, intellectual and physical qualities and who have the required professional knowledge and skills.
12. To meet this need, educational authorities should provide adequate inducements to prepare for teaching and sufficient places in appropriate institutions.
13. Completion of an approved course in an appropriate teacher-preparation institution should be required of all persons entering the profession.
14. Admission to teacher preparation should be based on the completion of appropriate secondary education, and the evidence of the possession of personal qualities likely to help the persons concerned to become worthy members of the profession.
15. While the general standards for admission to teacher preparation should be maintained, persons who may lack some of the formal academic requirements for admission, but who possess valuable experience, particularly in technical and vocational fields, may be admitted.
16. Adequate grants or financial assistance should be available to students preparing for teaching to enable them to follow the courses provided and to live decently; as far as possible, the competent authorities should seek to establish a system of free teacher-preparation institutions.
17. Information concerning the opportunities and the grants or financial assistance for teacher preparation should be readily available to students and other persons who may wish to prepare for teaching.
18. (1) 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 practise teaching.

(2) Steps should be taken with a view to achieving international recognition of teaching credentials conferring professional status in terms of standards agreed to internationally.

*Teacher-preparation programmes*

19 The purpose of a teacher-preparation programme should be to develop in each student his general education and personal culture, his ability to teach and educate others, an awareness of the principles which underlie good human relations, within and across national boundaries, and a sense of responsibility to contribute both by teaching and by example to social, cultural and economic progress.

20. Fundamentally a teacher-preparation programme should include:

- (a) general studies;
- (b) study of the main elements of philosophy, psychology, sociology as applied to education, the theory and history of education, and of comparative education, experimental pedagogy, school administration and methods of teaching the various subjects;
- (c) studies related to the student's intended field of teaching;
- (d) practice in teaching and in conducting extra-curricular activities under the guidance of fully qualified teachers.

21. (1) All teachers should be prepared in general, special and pedagogical subjects in universities, or in institutions on a level comparable to universities, or else in special institutions for the preparation of teachers.

(2) The content of teacher-preparation programmes may reasonably vary according to the tasks the teachers are required to perform in different types of schools, such as establishments for handicapped children or technical and vocational schools. In the latter case, the programmes might include some practical experience to be acquired in industry, commerce or agriculture.

22. A teacher-preparation programme may provide for a professional course either concurrently with or subsequent to a course of personal academic or specialized education or skill cultivation.

23. Education for teaching should normally be full-time; special arrangements may be made for older entrants to the profession and persons in other exceptional categories to undertake all or part of their course on a part-time basis, on condition that the content of

such courses and the standards of attainment are on the same level as those of the full-time courses.

24. Consideration should be given to the desirability of providing for the education of different types of teachers, whether primary, secondary, technical, specialist or vocational teachers, in institutions organically related or geographically adjacent to one another.

*Teacher-preparation institutions*

25. The staff of teacher-preparation institutions should be qualified to teach in their own discipline at a level equivalent to that of higher education. The staff teaching pedagogical subjects should have had experience of teaching in schools and wherever possible should have this experience periodically refreshed by secondment to teaching duties in schools.

26. Research and experimentation in education and in the teaching of particular subjects should be promoted through the provision of research facilities in teacher-preparation institutions and research work by their staff and students. All staff concerned with teacher education should be aware of the findings of research in the field with which they are concerned and endeavour to pass on its results to students.

27. Students as well as staff should have the opportunity of expressing their views on the arrangements governing the life, work and discipline of a teacher-preparation institution.

28. Teacher-preparation institutions should form a focus of development in the education service, both keeping schools abreast of the results of research and methodological progress, and reflecting in their own work the experience of schools and teachers.

29. The teacher-preparation institutions should, either severally or jointly, and in collaboration with another institution of higher education or with the competent education authorities, or not, be responsible for certifying that the student has satisfactorily completed the course.

30. School authorities, in co-operation with teacher-preparation institutions, should take appropriate measures to provide the newly-trained teachers with an employment in keeping with their preparation, and individual wishes and circumstances.

## **VI. Further education for teachers**

31. Authorities and teachers should recognize the importance of in-service education designed to secure a systematic improvement of the quality and content of education and of teaching techniques.

32. Authorities, in consultation with teachers' organizations, should promote the establishment of a wide system of in-service education, available free to all teachers. Such a system should provide a variety of arrangements and should involve the participation of teacher-preparation institutions, scientific and cultural institutions, and teachers' organizations. Refresher courses should be provided, especially for teachers returning to teaching after a break in service.

33. (1) Courses and other appropriate facilities should be so designed as to enable teachers to improve their qualifications, to alter or enlarge the scope of their work or seek promotion and to keep up to date with their subject and field of education as regards both content and method.

(2) Measures should be taken to make books and other material available to teachers to improve their general education and professional qualifications.

34. Teachers should be given both the opportunities and the incentives to participate in courses and facilities and should take full advantage of them.

35. School authorities should make every endeavour to ensure that schools can apply relevant research findings both in the subjects of study and in teaching methods.

36. Authorities should encourage and, as far as possible, assist teachers to travel in their own country and abroad, either in groups or individually, with a view to their further education.

37. It would be desirable that measures taken for the preparation and further education of teachers should be developed and supplemented by financial and technical co-operation on an international or regional basis.

## VII. Employment and career

### *Entry into the teaching profession*

38. In collaboration with teachers' organizations, policy governing recruitment into employment should be clearly defined at the appropriate level and rules should be established laying down the teachers' obligations and rights.

39. A probationary period on entry to teaching should be recognized both by teachers and by employers as the opportunity for the encouragement and helpful initiation of the entrant and for the establishment and maintenance of proper professional standards as well as the teacher's own development of his practical teaching proficiency. The normal duration of probation should be known in advance and the conditions for its satisfactory completion should be strictly related to professional competence. If the teacher is failing to complete his probation satisfactorily, he should be informed of the reasons and should have the right to make representations.

### *Advancement and promotion*

40. Teachers should be able, subject to their having the necessary qualifications, to move from one type or level of school to another within the education service.

41. The organization and structure of an education service, including that of individual schools, should provide adequate opportunities for and recognition of additional responsibilities to be exercised by individual teachers, on condition that those responsibilities are not detrimental to the quality or regularity of their teaching work.

42. Consideration should be given to the advantages of schools sufficiently large for pupils to have the benefits and staff the opportunities to be derived from a range of responsibilities being carried by different teachers.

43. Posts of responsibility in education, such as that of inspector, educational administrator, director of education or other posts of special responsibility, should be given as far as possible to experienced teachers.

44. Promotion should be based on an objective assessment of the teacher's qualifications for the new post, by reference to strictly

professional criteria laid down in consultation with teachers' organizations.

*Security of tenure*

45. 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 and should be safeguarded even when changes in the organization of or within a school system are made.

46. Teachers should be adequately protected against arbitrary action affecting their professional standing or career.

*Disciplinary procedures related to breaches of professional conduct*

47. 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.

48. The authorities or bodies competent to propose or apply sanctions and penalties should be clearly designated.

49. Teachers' organizations should be consulted when the machinery to deal with disciplinary matters is established.

50. Every teacher should enjoy equitable safeguards at each stage of any disciplinary procedure, and in particular:

- (a) the right to be informed in writing of the allegations and the grounds for them;
- (b) the right to full access to the evidence in the case;
- (c) the right to defend himself and to be defended by a representative of his choice, adequate time being given to the teacher for the preparation of his defence;
- (d) the right to be informed in writing of the decisions reached and the reasons for them;
- (e) the right to appeal to clearly designated competent authorities or bodies.

51. 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 their peers.

52. The provisions of the foregoing paragraphs 47-51 do not in any way affect the procedures normally applicable under national laws or regulations to acts punishable under criminal laws.

*Medical examinations*

53. Teachers should be required to undergo periodical medical examinations, which should be provided free.

*Women teachers with family responsibilities*

54. Marriage should not be considered a bar to the appointment or to the continued employment of women teachers, nor should it affect remuneration or other conditions of work.

55. Employers should be prohibited from terminating contracts of service for reasons of pregnancy and maternity leave.

56. Arrangements such as crèches or nurseries should be considered where desirable to take care of the children of teachers with family responsibilities.

57. Measures should be taken to permit women teachers with family responsibilities to obtain teaching posts in the locality of their homes and to enable married couples, both of whom are teachers, to teach in the same general neighbourhood or in one and the same school.

58. In appropriate circumstances women teachers with family responsibilities who have left the profession before retirement age should be encouraged to return to teaching.

*Part-time service*

59. Authorities and schools should recognize the value of part-time service given, in case of need, by qualified teachers who for some reason cannot give full-time service.

60. Teachers employed regularly on a part-time basis should:
- (a) receive proportionately the same remuneration and enjoy the same basic conditions of employment as teachers employed on a full-time basis;
  - (b) be granted rights corresponding to those of teachers employed on a full-time basis as regards holidays with pay, sick leave and maternity leave, subject to the same eligibility requirements; and



- (c) be entitled to adequate and appropriate social security protection, including coverage under employers' pension schemes.

### **VIII. The rights and responsibilities of teachers**

#### *Professional freedom*

61. 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 and the application of teaching methods, within the framework of approved programmes, and with the assistance of the educational authorities.
62. Teachers and their organizations should participate in the development of new courses, textbooks and teaching aids.
63. Any systems of inspection or supervision should be designed to encourage and help teachers in the performance of their professional tasks and should be such as not to diminish the freedom, initiative and responsibility of teachers.
64. (1) Where any kind of direct assessment of the teacher's work is required, such assessment should be objective and should be made known to the teacher.  
(2) Teachers should have a right to appeal against assessments which they deem to be unjustified.
65. Teachers should be free to make use of such evaluation techniques as they may deem useful for the appraisal of pupils' progress, but should ensure that no unfairness to individual pupils results.
66. The authorities should give due weight to the recommendations of teachers regarding the suitability of individual pupils for courses and further education of different kinds.
67. Every possible effort should be made to promote close co-operation between teachers and parents in the interests of pupils, but teachers should be protected against unfair or unwarranted interference by parents in matters which are essentially the teacher's professional responsibility.

68. (1) Parents having a complaint against a school or a teacher should be given the opportunity of discussing it in the first instance with the school principal and the teacher concerned. Any complaint subsequently addressed to higher authority should be put in writing and a copy should be supplied to the teacher.

(2) Investigations of complaints should be so conducted that the teachers are given a fair opportunity to defend themselves and that no publicity is given to the proceedings.

69. While teachers should exercise the utmost care to avoid accidents to pupils, employers of teachers should safeguard them against the risk of having damages assessed against them in the event of injury to pupils occurring at school or in school activities away from the school premises or grounds.

#### *Responsibilities of teachers*

70. Recognizing that the status of their profession depends to a considerable extent upon teachers themselves, all teachers should seek to achieve the highest possible standards in all their professional work.

71. Professional standards relating to teacher performance should be defined and maintained with the participation of the teachers' organizations.

72. Teachers and teachers' organizations should seek to co-operate fully with authorities in the interests of the pupils, of the education service and of society generally.

73. Codes of ethics or of conduct should be established by the teachers' organizations, since such codes greatly contribute to ensuring the prestige of the profession and the exercise of professional duties in accordance with agreed principles.

74. Teachers should be prepared to take their part in extra-curricular activities for the benefit of pupils and adults.

#### *Relations between teachers and the education service as a whole*

75. In order that teachers may discharge their responsibilities, authorities should establish and regularly use recognized means of consultation with teachers' organizations on such matters as educational policy, school organization, and new developments in the education service.

76. Authorities and teachers should recognize the importance of the participation of teachers, through their organizations and in other ways, in steps designed to improve the quality of the education service in educational research, and in the development and dissemination of new improved methods.

77. Authorities should facilitate the establishment and the work of panels designed, within a school or within a broader framework, to promote the co-operation of teachers of the same subject and should take due account of the opinions and suggestions of such panels.

78. Administrative and other staff who are responsible for aspects of the education service should seek to establish good relations with teachers and this approach should be equally reciprocated.

#### *Rights of teachers*

79. The participation of teachers in social and public life should be encouraged in the interests of the teacher's personal development, of the education service and of society as a whole.

80. Teachers should be free to exercise all civic rights generally enjoyed by citizens and should be eligible for public office.

81. Where the requirements of public office are such that the teacher has to relinquish his teaching duties, he should be retained in the profession for seniority and pension purposes and should be able to return to his previous post or to an equivalent post after his term of public office has expired.

82. Both salaries and working conditions for teachers should be determined through the process of negotiation between teachers' organizations and the employers of teachers.

83. Statutory or voluntary machinery should be established whereby the right of teachers to negotiate through their organizations with their employers, either public or private, is assured.

84. Appropriate joint machinery should be set up to deal with the settlement of disputes between the teachers and their employers arising out of terms and conditions of employment. If the means and procedures established for these purposes should be exhausted or if there should be a breakdown in negotiations between the parties, teachers' organizations should have the right to take such other

steps as are normally open to other organizations in the defence of their legitimate interests.

## **IX. Conditions for effective teaching and learning**

85. Since the teacher is a valuable specialist, his work should be so organized and assisted as to avoid waste of his time and energy.

### *Class size*

86. Class size should be such as to permit the teacher to give the pupils individual attention. From time to time provision may be made for small group or even individual instruction for such purposes as remedial work, and on occasion, for large group instruction employing audio-visual aids.

### *Ancillary staff*

87. With a view to enabling teachers to concentrate on their professional tasks, schools should be provided with ancillary staff to perform non-teaching duties.

### *Teaching aids*

88. (1) Authorities should provide teachers and pupils with modern aids to teaching. Such aids should not be regarded as a substitute for the teacher but as a means of improving the quality of teaching and extending to a larger number of pupils the benefits of education.

(2) Authorities should promote research into the use of such aids and encourage teachers to participate actively in such research.

### *Hours of work*

89. The hours teachers are required to work per day and per week should be established in consultation with teachers' organizations.

90. In fixing hours of teaching account should be taken of all factors which are relevant to the teacher's work load, such as:

- (a) the number of pupils with whom the teacher is required to work per day and per week;
- (b) the necessity to provide time for adequate planning and preparation of lessons and for evaluation of work;
- (c) the number of different lessons assigned to be taught each day;

- (d) the demands upon the time of the teacher imposed by participation in research, in co-curricular and extra-curricular activities, in supervisory duties and in counselling of pupils;
- (e) the desirability of providing time in which teachers may report to and consult with parents regarding pupil progress.

91. Teachers should be provided time necessary for taking part in in-service training programmes.

92. Participation of teachers in extra-curricular activities should not constitute an excessive burden and should not interfere with the fulfilment of the main duties of the teacher.

93. Teachers assigned special educational responsibilities in addition to classroom instruction should have their normal hours of teaching reduced correspondingly.

#### *Annual holidays with pay*

94. All teachers should enjoy a right to adequate annual vacation with full pay.

#### *Study leave*

95. (1) Teachers should be granted study leave on full or partial pay at intervals.

(2) The period of study leave should be counted for seniority and pension purposes.

(3) Teachers in areas which are remote from population centres and are recognized as such by the public authorities should be given study leave more frequently.

#### *Special leave*

96. Leave of absence granted within the framework of bilateral and multilateral cultural exchanges should be considered as service.

97. Teachers attached to technical assistance projects should be granted leave of absence and their seniority, eligibility for promotion and pension rights in the home country should be safeguarded. In addition special arrangements should be made to cover their extraordinary expenses.

98. Foreign guest teachers should similarly be given leave of absence by their home countries and have their seniority and pension rights safeguarded.

99. (1) Teachers should be granted occasional leave of absence with full pay to enable them to participate in the activities of their organizations.

(2) Teachers should have the right to take up office in their organizations; in such case their entitlements should be similar to those of teachers holding public office.

100. Teachers should be granted leave of absence with full pay for adequate personal reasons under arrangements specified in advance of employment.

#### *Sick leave and maternity leave*

101. (1) Teachers should be entitled to sick leave with pay.

(2) In determining the period during which full or partial pay shall be payable, account should be taken of cases in which it is necessary for teachers to be isolated from pupils for long periods.

102. Effect should be given to the standards laid down by the International Labour Organisation in the field of maternity protection, and in particular the Maternity Protection Convention, 1919, and the Maternity Protection Convention (Revised), 1952, as well as to the standards referred to in paragraph 126 of this Recommendation.

103. Women teachers with children should be encouraged to remain in the service by such measures as enabling them, at their request, to take additional unpaid leave of up to one year after childbirth without loss of employment, all rights resulting from employment being fully safeguarded.

#### *Teacher exchange*

104. Authorities should recognize the value both to the education service and to teachers themselves of professional and cultural exchanges between countries and of travel abroad on the part of teachers; they should seek to extend such opportunities and take account of the experience acquired abroad by individual teachers.

105. Recruitment for such exchanges should be arranged without any discrimination, and the persons concerned should not be considered as representing any particular political view.

106. Teachers who travel in order to study and work abroad should be given adequate facilities to do so and proper safeguards of their posts and status.

107. Teachers should be encouraged to share teaching experience gained abroad with other members of the profession.

*School buildings*

108. School buildings should be safe and attractive in overall design and functional in layout; they should lend themselves to effective teaching, and to use for extra-curricular activities and, especially in rural areas, as a community centre; they should be constructed in accordance with established sanitary standards and with a view to durability, adaptability and easy, economic maintenance.

109. Authorities should ensure that school premises are properly maintained, so as not to threaten in any way the health and safety of pupils and teachers.

110. In the planning of new schools representative teacher opinion should be consulted. In providing new or additional accommodation for an existing school the staff of the school concerned should be consulted.

*Special provisions for teachers in rural or remote areas*

111. (1) Decent housing, preferably free or at a subsidized rental, should be provided for teachers and their families in areas remote from population centres and recognized as such by the public authorities.

(2) In countries where teachers, in addition to their normal teaching duties, are expected to promote and stimulate community activities, development plans and programmes should include provision for appropriate accommodation for teachers

112. (1) On appointment or transfer to schools in remote areas, teachers should be paid removal and travel expenses for themselves and their families.

(2) Teachers in such areas should, where necessary, be given special travel facilities to enable them to maintain their professional standards.

(3) Teachers transferred to remote areas should, as an inducement, be reimbursed their travel expenses from their place of work to their home town once a year when they go on leave.

113. Whenever teachers are exposed to particular hardships, they should be compensated by the payment of special hardship allow-

ances which should be included in earnings taken into account for pension purposes.

## **X. Teachers' salaries**

114. Amongst the various factors which affect the status of teachers, particular importance should be attached to salary, seeing that in present world conditions other factors, such as the standing or regard accorded them and the level of appreciation of the importance of their function, are largely dependent, as in other comparable professions, on the economic position in which they are placed.

115. Teachers' salaries should:

- (a) reflect the importance to society of the teaching function and hence the importance of teachers as well as the responsibilities of all kinds which fall upon them from the time of their entry into the service;
- (b) compare favourably with salaries paid in other occupations requiring similar or equivalent qualifications;
- (c) provide teachers with the means to ensure a reasonable standard of living for themselves and their families as well as to invest in further education or in the pursuit of cultural activities, thus enhancing their professional qualification;
- (d) take account of the fact that certain posts require higher qualifications and experience and carry greater responsibilities.

116. Teachers should be paid on the basis of salary scales established in agreement with the teachers' organizations. In no circumstances should qualified teachers during a probationary period or if employed on a temporary basis be paid on a lower salary scale than that laid down for established teachers

117. 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.

118. 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.

119. 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.



120. In establishing the placement on a basic salary scale of a teacher of vocational or technical subjects who may have no academic degree, allowance should be made for the value of his practical training and experience.

121. Teachers' salaries should be calculated on an annual basis.

122. (1) Advancement within the grade through salary increments granted at regular, preferably annual, intervals should be provided.

(2) 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.

(3) Teachers should be granted salary increments for service performed during periods of probationary or temporary appointment.

123. (1) 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.

(2) Where a system of salary adjustments automatically following a cost-of-living index has been adopted, the choice of index should be determined with the participation of the teachers' organizations and any cost-of-living allowance granted should be regarded as an integral part of earnings taken into account for pension purposes.

124. No merit rating system for purposes of salary determination should be introduced or applied without prior consultation with and acceptance by the teachers' organizations concerned.

## **XI. Social security**

### *General provisions*

125. All teachers, regardless of the type of school in which they serve, should enjoy the same or similar social security protection. Protection should be extended to periods of probation and of training for those who are regularly employed as teachers.

126. (1) Teachers should be protected by social security measures in respect of all the contingencies included in the International Labour Organisation Social Security (Minimum Standards) Convention, 1952, namely by medical care, sickness benefit, unemployment benefit, old-age benefit, employment injury benefit, fam-

ily benefit, maternity benefit, invalidity benefit and survivors' benefit.

(2) The standards of social security provided for teachers should be at least as favourable as those set out in the relevant instruments of the International Labour Organisation and in particular the Social Security (Minimum Standards) Convention, 1952.

(3) Social security benefits for teachers should be granted as a matter of right.

127. The social security protection of teachers should take account of their particular conditions of employment, as indicated in paragraphs 128-140.

#### *Medical care*

128. In regions where there is a scarcity of medical facilities teachers should be paid travelling expenses necessary to obtain appropriate medical care.

#### *Sickness benefit*

129. (1) Sickness benefit should be granted throughout any period of incapacity for work involving suspension of earnings.

(2) It should be paid from the first day in each case of suspension of earnings.

(3) Where the duration of sickness benefit is limited to a specified period, provisions should be made for extensions in cases in which it is necessary for teachers to be isolated from pupils.

#### *Employment injury benefit*

130. Teachers should be protected against the consequences of injuries suffered not only during teaching at school but also when engaged in school activities away from the school premises or grounds.

131. Certain infectious diseases prevalent among children should be regarded as occupational diseases when contracted by teachers who have been exposed to them by virtue of their contact with pupils.

#### *Old-age benefit*

132. Pension credits earned by a teacher under any education authority within a country should be portable should the teacher transfer to employment under any other authority within that country.

133. Taking account of national regulations, teachers who, in case of a duly recognized teacher shortage, continue in service after qualifying for a pension should either receive credit in the calculation of the pension for the additional years of service or be able to gain a supplementary pension through an appropriate agency.

134. Old-age benefit should be so related to final earnings that the teacher may continue to maintain an adequate living standard.

#### *Invalidity benefit*

135. Invalidation benefit should be payable to teachers who are forced to discontinue teaching because of physical or mental disability. Provision should be made for the granting of pensions where the contingency is not covered by extended sickness benefit or other means.

136. Where disability is only partial in that the teacher is able to teach part time, partial invalidity benefit should be payable.

137.(1) Invalidation benefit should be so related to final earnings that the teacher may continue to maintain an adequate living standard.

(2) Provision should be made for medical care and allied benefits with a view to restoring or, where this is not possible, improving the health of disabled teachers, as well as for rehabilitation services designed to prepare disabled teachers, wherever possible, for the resumption of their previous activity.

#### *Survivors' benefit*

138. The conditions of eligibility for survivors' benefit and the amount of such benefit should be such as to enable survivors to maintain an adequate standard of living and as to secure the welfare and education of surviving dependent children.

#### *Means of providing social security for teachers*

139.(1) The social security protection of teachers should be assured as far as possible through a general scheme applicable to employed persons in the public sector or in the private sector as appropriate.

(2) Where no general scheme is in existence for one or more of the contingencies to be covered, special schemes, statutory or non-statutory, should be established.

(3) Where the level of benefits under a general scheme is below that provided for in this Recommendation, it should be brought up to the recommended standard by means of supplementary schemes.

140. Consideration should be given to the possibility of associating representatives of teachers' organizations with the administration of special and supplementary schemes, including the investment of their funds.

## **XII. The teacher shortage**

141.(1) It should be a guiding principle that any severe supply problem should be dealt with by measures which are recognized as exceptional, which do not detract from or endanger in any way professional standards already established or to be established and which minimize educational loss to pupils.

(2) Recognizing that certain expedients designed to deal with the shortage of teachers, such as over-large classes and the unreasonable extension of hours of teaching duty are incompatible with the aims and objectives of education and are detrimental to the pupils, the competent authorities as a matter of urgency should take steps to render these expedients unnecessary and to discontinue them.

142. In developing countries, where supply considerations may necessitate short-term intensive emergency preparation programmes for teachers, a fully professional, extensive programme should be available in order to produce corps of professionally prepared teachers competent to guide and direct the educational enterprise.

143.(1) Students admitted to training in short-term, emergency programmes should be selected in terms of the standards applying to admission to the normal professional programme, or even higher ones, to ensure that they will be capable of subsequently completing the requirements of the full programme.

(2) Arrangements and special facilities, including extra study leave on full pay, should enable such students to complete their qualifications in service.

144.(1) As far as possible, unqualified personnel should be required to work under the close supervision and direction of professionally qualified teachers.

(2) As a condition of continued employment such persons should be required to obtain or complete their qualifications.

145. Authorities should recognize that improvements in the social and economic status of teachers, their living and working conditions, their terms of employment and their career prospects are the best means of overcoming any existing shortage of competent and experienced teachers, and of attracting to and retaining in the teaching profession substantial numbers of fully qualified persons.

### **XIII. Final provision**

146. Where teachers enjoy a status which is, in certain respects, more favourable than that provided for in this Recommendation, its terms should not be invoked to diminish the status already granted.

The foregoing is the authentic text of the Recommendation duly adopted by the Special Intergovernmental Conference on the Status of Teachers, which was held in Paris and declared closed the fifth day of October 1966.

IN FAITH WHEREOF we have appended our signatures this fifth day of October 1966.

*The President of the Special  
Intergovernmental Conference  
on the Status of Teachers*

*The Director-General  
of the United Nations  
Educational, Scientific  
and Cultural Organization*

# RECOMMENDATION CONCERNING EDUCATION FOR INTERNATIONAL UNDERSTANDING, CO-OPERATION AND PEACE AND EDUCATION RELATING TO HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, 1974<sup>1</sup>

## Introduction

*This Recommendation represents a milestone in UNESCO's action to promote education on peace and respect for human rights and reflects the experience which the Organization and its Member States have accumulated over a period of more than a quarter of a century.*

*The text of the Recommendation sets out guiding principles. It stresses the need for education about contemporary world problems such as the maintenance of peace, disarmament, respect for human rights development, etc.*

*Detailed recommendations are presented on such matters as national policy, planning and administration, particular aspects of learning, training, action in various sectors and levels of education teacher preparation educational equipment and materials, research and experimentation and international co-operation. The implementation of this Recommendation constitutes the main thrust of the Organization's programme on education for international understanding as outlined in the Medium-Term Plan for 1977-1982.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 17 October to 23 November 1974, at its eighteenth session, *Mindful* of the responsibility incumbent on States to achieve through education the aims set forth in the Charter of the United Nations, the Constitution of UNESCO, the Universal Declaration of Human Rights and the Geneva Conventions for the Protection of Victims of War of 12 August 1949, in order

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<sup>1</sup> Adopted on 19 November 1974 by the General Conference of UNESCO at its eighteenth session, held in Paris.

to promote international understanding, co-operation and peace and respect for human rights and fundamental freedoms, *Reaffirming* the responsibility which is incumbent on UNESCO to encourage and support in Member States any activity designed to ensure the education of all for the advancement of justice, freedom, human rights and peace,

*Noting* nevertheless that the activity of UNESCO and of its Member States sometimes has an impact only on a small minority of the steadily growing numbers of schoolchildren, students, young people and adults continuing their education, and educators, and that the curricula and methods of international education are not always attuned to the needs and aspirations of the participating young people and adults,

*Noting* moreover that in a number of cases there is still a wide disparity between proclaimed ideals, declared intentions and the actual situation,

*Having decided*, at its seventeenth session, that this education should be the subject of a recommendation to Member States,

*Adopts* this nineteenth day of November 1974, the present recommendation,

*The General Conference* recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required in conformity with the constitutional practice of each State to give effect within their respective territories to the principles set forth in this recommendation.

*The General Conference* recommends that Member States bring this recommendation to the attention of the authorities, departments or bodies responsible for school education, higher education and out-of-school education, of the various organizations carrying out educational work among young people and adults such as student and youth movements, associations of pupils' parents, teachers' unions and other interested parties.

*The General Conference* recommends that Member States submit to it, by dates and in the form to be decided upon by the Conference, reports concerning the action taken by them in pursuance of this recommendation.

## **I. Significance of terms**

1. For the purposes of this recommendation:
  - (a) The word 'education' implies the entire process of social life by means of which individuals and social groups learn to develop consciously within, and for the benefit of, the national and international communities, the whole of their personal capaci-

ties, attitudes, aptitudes and knowledge. This process is not limited to any specific activities.

- (b) The terms 'international understanding', 'co-operation' and 'peace' are to be considered as an indivisible whole based on the principle of friendly relations between peoples and States having different social and political systems and on the respect for human rights and fundamental freedoms. In the text of this recommendation, the different connotations of these terms are sometimes gathered together in a concise expression, 'international education'.
- (c) 'Human rights' and 'fundamental freedoms' are those defined in the United Nations Charter, the Universal Declaration of Human Rights and the International Covenants on Economic, Social and Cultural Rights, and on Civil and Political Rights.

## **II. Scope**

- 2. This recommendation applies to all stages and forms of education.

## **III. Guiding principles**

3. Education should be infused with the aims and purposes set forth in the Charter of the United Nations, the Constitution of UNESCO and the Universal Declaration of Human Rights, particularly Article 26, paragraph 2, of the last-named, which states: 'Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. 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.'

4. In order to enable every person to contribute actively to the fulfilment of the aims referred to in paragraph 3, and promote international solidarity and co-operation, which are necessary in solving the world problems affecting the individuals' and communities' life and exercise of fundamental rights and freedoms, the following objectives should be regarded as major guiding principles of educational policy:

- (a) an international dimension and a global perspective in education at all levels and in all its forms;
- (b) understanding and respect for all peoples, their cultures, civilizations, values and ways of life, including domestic ethnic cultures and cultures of other nations;



- (c) awareness of the increasing global interdependence between peoples and nations;
- (d) abilities to communicate with others;
- (e) awareness not only of the rights but also of the duties incumbent upon individuals, social groups and nations towards each other;
- (f) understanding of the necessity for international solidarity and cooperation;
- (g) readiness on the part of the individual to participate in solving the problems of his community, his country and the world at large.

5. Combining learning, training, information and action, international education should further the appropriate intellectual and emotional development of the individual. It should develop a sense of social responsibility and of solidarity with less privileged groups and should lead to observance of the principles of equality in everyday conduct. It should also help to develop qualities, aptitudes and abilities which enable the individual to acquire a critical understanding of problems at the national and the international level; to understand and explain facts, opinions and ideas; to work in a group; to accept and participate in free discussions; to observe the elementary rules of procedure applicable to any discussion; and to base value-judgements and decisions on a rational analysis of relevant facts and factors.

6. Education should stress the inadmissibility of recourse to war for purposes of expansion, aggression and domination, or to the use of force and violence for purposes of repression, and should bring every person to understand and assume his or her responsibilities for the maintenance of peace. It should contribute to international understanding and strengthening of world peace and to the activities in the struggle against colonialism and neo-colonialism in all their forms and manifestations, and against all forms and varieties of racialism, fascism, and apartheid as well as other ideologies which breed national and racial hatred and which are contrary to the purposes of this recommendation.

#### **IV. National policy, planning and administration**

7. Each Member State should formulate and apply national policies aimed at increasing the efficacy of education in all its forms and strengthening its contribution to international understanding and co-operation, to the maintenance and development of a just peace, to the establishment of social justice, to respect for and application of human rights and fundamental freedoms, and to the

eradication of the prejudices, misconceptions, inequalities and all forms of injustice which hinder the achievement of these aims.

8. Member States should in collaboration with the National Commissions take steps to ensure co-operation between ministries and departments and co-ordination of their efforts to plan and carry out concerted programmes of action in international education.

9. Member States should provide, consistent with their constitutional provisions, the financial, administrative, material and moral support necessary to implement this recommendation.

## **V. Particular aspects of learning, training and action**

### *Ethical and civic aspects*

10. Member States should take appropriate steps to strengthen and develop in the processes of learning and training, attitudes and behaviour based on recognition of the equality and necessary interdependence of nations and peoples.

11. Member States should take steps to ensure that the principles of the Universal Declaration of Human Rights and of the International Convention on the Elimination of All Forms of Racial Discrimination become an integral part of the developing personality of each child, adolescent, young person or adult by applying these principles in the daily conduct of education at each level and in all its forms, thus enabling each individual to contribute personally to the regeneration and extension of education in the direction indicates.

12. Member States should urge educators, in collaboration with pupils, parents, the organizations concerned and the community, to use methods which appeal to the creative imagination of children and adolescents and to their social activities and thereby to prepare them to exercise their rights and freedoms while recognizing and respecting the rights of others and to perform their social duties.

13. Member States should promote, at every stage of education, an active civic training which will enable every person to gain a knowledge of the method of operation and the work of public institutions, whether local, national or international, to become acquainted with the procedures for solving fundamental problems; and to participate in the cultural life of the community and in public affairs. Wherever possible, this participation should increasingly

link education and action to solve problems at the local, national and international levels.

14. Education should include critical analysis of the historical and contemporary factors of an economic and political nature underlying the contradictions and tensions between countries, together with study of ways of overcoming these contradictions, which are the real impediments to understanding, true international co-operation and the development of world peace.

15. Education should emphasize the true interests of peoples and their incompatibility with the interests of monopolistic groups holding economic and political power, which practise exploitation and foment war.

16. Student participation in the organization of studies and of the educational establishment they are attending should itself be considered a factor in civic education and an important element in international education.

#### *Cultural aspects*

17. Member States should promote, at various stages and in various types of education, study of different cultures, their reciprocal influences, their perspectives and ways of life, in order to encourage mutual appreciation of the differences between them. Such study should, among other things, give due importance to the teaching of foreign languages, civilizations and cultural heritage as a means of promoting international and inter-cultural understanding.

#### *Study of the major problems of mankind*

18. Education should be directed both towards the eradication of conditions which perpetuate and aggravate major problems affecting human survival and well-being — inequality, injustice, international relations based on the use of force — and towards measures of international co-operation likely to help solve them. Education which in this respect must necessarily be of an interdisciplinary nature should relate to such problems as:

- (a) equality of rights of peoples, and the right of peoples to self-determination;
- (b) the maintenance of peace; different types of war and their causes and effects; disarmament; the inadmissibility of using science and technology for warlike purposes and their use for the purposes of peace and progress; the nature and effect of

- economic, cultural and political relations between countries and the importance of international law for these relations, particularly for the maintenance of peace;
- (c) action to ensure the exercise and observance of human rights, including those of refugees; racialism and its eradication; the fight against discrimination in its various forms;
  - (d) economic growth and social development and their relation to social justice; colonialism and decolonization; ways and means of assisting developing countries; the struggle against illiteracy; the campaign against disease and famine; the fight for a better quality of life and the highest attainable standard of health; population growth and related questions;
  - (e) the use, management and conservation of natural resources, pollution of the environment;
  - (f) preservation of the cultural heritage of mankind;
  - (g) the role and methods of action of the United Nations system in efforts to solve such problems and possibilities for strengthening and furthering its action.

19 Steps should be taken to develop the study of those sciences and disciplines which are directly related to the exercise of the increasingly varied duties and responsibilities involved in international relations.

*Other aspects*

20. Member States should encourage educational authorities and educators to give education planned in accordance with this recommendation an interdisciplinary, problem-oriented content adapted to the complexity of the issues involved in the application of human rights and in international co-operation, and in itself illustrating the ideas of reciprocal influence, mutual support and solidarity. Such programmes should be based on adequate research, experimentation and the identification of specific educational objectives.

21. Member States should endeavour to ensure that international educational activity is granted special attention and resources when it is carried out in situations involving particularly delicate or explosive social problems in relations, for example, where there are obvious inequalities in opportunities for access to education.

## **VI. Action in various sectors of education**

22. Increased efforts should be made to develop and infuse an international and inter-cultural dimension at all stages and in all forms of education.

23. Member States should take advantage of the experience of the Associated Schools which carry out, with UNESCO's help, programmes of international education. Those concerned with Associated Schools in Member States should strengthen and renew their efforts to extend the programme to other educational institutions and work towards the general application of its results. In other Member States, similar action should be undertaken as soon as possible. The experience of other educational institutions which have carried out successful programmes of international education should also be studied and disseminated.

24. As pre-school education develops, Member States should encourage in it activities which correspond to the purposes of the recommendation because fundamental attitudes, such as, for example, attitudes on race, are often formed in the pre-school years. In this respect, the attitude of parents should be deemed to be an essential factor for the education of children, and the adult education referred to in paragraph 30 should pay special attention to the preparation of parents for their role in pre-school education. The first school should be designed and organized as a social environment having its own character and value, in which various situations, including games, will enable children to become aware of their rights, to assert themselves freely while accepting their responsibilities, and to improve and extend through direct experience their sense of belonging to larger and larger communities—the family, the school then the local, national and world communities.

25. Member States should urge the authorities concerned, as well as teachers and students, to re-examine periodically how post-secondary and university education should be improved so that it may contribute more fully to the attainment of the objectives of this recommendation.

26. Higher education should comprise civic training and learning activities for all students that will sharpen their knowledge of the major problems which they should help to solve, provide them with possibilities for direct and continuous action aimed at the solution of those problems, and improve their sense of international co-operation.

27. As post-secondary educational establishments, particularly universities, serve growing numbers of people, they should carry out programmes of international education as part of their broadened function in lifelong education and should in all teaching adopt a global approach. Using all means of communication available to them, they should provide opportunities, facilities for learning and activities adapted to people's real interests, problems and aspirations.

28. In order to develop the study and practice of international co-operation, post-secondary educational establishments should systematically take advantage of the forms of international action inherent in their role, such as visits from foreign professors and students and professional co-operation between professors and research teams in different countries. In particular, studies and experimental work should be carried out on the linguistic, social, emotional and cultural obstacles, tensions, attitudes and actions which affect both foreign students and host establishments.

29. Every stage of specialized vocational training should include training to enable students to understand their role and the role of their professions in developing their society, furthering international co-operation, maintaining and developing peace, and to assume their role actively as early as possible.

30. Whatever the aims and forms of out-of-school education, including adult education, they should be based on the following considerations:

- (a) as far as possible a global approach should be applied in all out-of-school education programmes, which should comprise the appropriate moral, civic, cultural, scientific and technical elements of international education;
- (b) all the parties concerned should combine efforts to adapt and use the mass media of communication, self-education, and inter-active learning, and such institutions as museums and public libraries to convey relevant knowledge to the individual, to foster in him or her favourable attitudes and a willingness to take positive action, and to spread knowledge and understanding of the educational campaigns and programmes planned in accordance with the objectives of this recommendation;
- (c) the parties concerned, whether public or private, should endeavour to take advantage of favourable situations and opportunities, such as the social and cultural activities of youth centres and clubs, cultural centres, community centres or trade

unions, youth gatherings and festivals, sporting events, contacts with foreign visitors, students or immigrants and exchanges of persons in general.

31. Steps should be taken to assist the establishment and development of such organizations as student and teacher associations for the United Nations, international relations clubs and UNESCO Clubs, which should be associated with the preparation and implementation of co-ordinated programmes of international education.

32. Member States should endeavour to ensure that, at each stage of school and out-of-school education, activities directed towards the objectives of this recommendation be co-ordinated and form a coherent whole within the curricula for the different levels and types of education, learning and training. The principles of co-operation and association which are inherent in this recommendation should be applied in all educational activities.

## **VII. Teacher preparation**

33. Member States should constantly improve the ways and means of preparing and certifying teachers and other educational personnel for their role in pursuing the objectives of this recommendation and should, to this end:

- (a) provide teachers with motivations for their subsequent work: commitment to the ethics of human rights and to the aim of changing society, so that human rights are applied in practice; a grasp of the fundamental unity of mankind; ability to instil appreciation of the riches which the diversity of cultures can bestow on every individual, group or nation;
- (b) provide basic interdisciplinary knowledge of world problems and the problems of international co-operation, through, among other means, work to solve these problems;
- (c) prepare teachers themselves to take an active part in devising programmes of international education and educational equipment and materials, taking into account the aspirations of pupils and working in close collaboration with them;
- (d) comprise experiments in the use of active methods of education and training in at least elementary techniques of evaluation, particularly those applicable to the social behaviour and attitudes of children, adolescents and adults;
- (e) develop aptitudes and skills such as a desire and ability to make educational innovations and to continue his or her training; experience in teamwork and in interdisciplinary studies, knowledge of group dynamics and the ability to create favourable opportunities and take advantage of them;

- (f) include the study of experiments in international education, especially innovative experiments carried out in other countries, and provide those concerned, to the fullest possible extent, with opportunities for making direct contact with foreign teachers.

34. Member States should provide those concerned with direction, supervision or guidance—for instance, inspectors, educational advisers, principals of teacher-training colleges and organizers of educational activities for young people and adults—with training, information and advice enabling them to help teachers work towards the objectives of this recommendation, taking into account the aspirations of young people with regard to international problems and new educational methods that are likely to improve prospects for fulfilling these aspirations. For these purposes, seminars or refresher courses relating to international and inter-cultural education should be organized to bring together authorities and teachers; other seminars or courses might permit supervisory personnel and teachers to meet with other groups concerned such as parents, students, and teachers' associations. Since there must be a gradual but profound change in the role of education, the results of experiments for the remodelling of structures and hierarchical relations in educational establishments should be reflected in training, information and advice.

35. Member States should endeavour to ensure that any programme of further training for teachers in service or for personnel responsible for direction includes components of international education and opportunities to compare the results of their experiences in international education.

36. Member States should encourage and facilitate educational study and refresher courses abroad, particularly by awarding fellowships, and should encourage recognition of such courses as part of the regular process of initial training, appointment, refresher training and promotion of teachers.

37. Member States should organize or assist bilateral exchanges of teachers at all levels of education.

### **VIII. Educational equipment and materials**

38. Member States should increase their efforts to facilitate the renewal, production, dissemination and exchange of equipment and materials for international education, giving special consideration to the fact that in many countries pupils and students receive most



of their knowledge about international affairs through the mass media outside the school. To meet the needs expressed by those concerned with international education, efforts should be concentrated on overcoming the lack of teaching aids and on improving their quality. Action should be on the following lines:

- (a) appropriate and constructive use should be made of the entire range of equipment and aids available, from textbooks to television, and of the new educational technology;
- (b) there should be a component of special mass media education in teaching to help the pupils to select and analyse the information conveyed by mass media;
- (c) a global approach, comprising the introduction of international components, serving as a framework for presenting local and national aspects of different subjects and illustrating the scientific and cultural history of mankind, should be employed in textbooks and all other aids to learning, with due regard to the value of the visual arts and music as factors conducive to understanding between different cultures;
- (d) written and audio-visual materials of an interdisciplinary nature illustrating the major problems confronting mankind and showing in each case the need for international co-operation and its practical form should be prepared in the language or languages of instruction of the country with the aid of information supplied by the United Nations, UNESCO and other Specialized Agencies;
- (e) documents and other materials illustrating the culture and the way of life of each country, the chief problems with which it is faced, and its participation in activities of world-wide concern should be prepared and communicated to other countries.

39. Member States should promote appropriate measures to ensure that educational aids, especially textbooks, are free from elements liable to give rise to misunderstanding, mistrust, racist reactions, contempt or hatred with regard to other groups or peoples. Materials should provide a broad background of knowledge which will help learners to evaluate information and ideas disseminated through the mass media that seem to run counter to the aims of this recommendation.

40. According to its needs and possibilities, each Member State should establish or help to establish one or more documentation centres offering written and audio-visual material devised according to the objectives of this recommendation and adapted to the different forms and stages of education. These centres should be designed to foster the reform of international education, especially by developing and disseminating innovative ideas and materials,

and should also organize and facilitate exchanges of information with other countries.

### **IX. Research and experimentation**

41. Member States should stimulate and support research on the foundations, guiding principles, means of implementation and effects of international education and on innovations and experimental activities in this field, such as those taking place in the Associated Schools. This action calls for collaboration by universities, research bodies and centres, teacher-training institutions, adult education training centres and appropriate non-governmental organizations.

42. Member States should take appropriate steps to ensure that teachers and the various authorities concerned build international education on a sound psychological and sociological basis by applying the results of research carried out in each country on the formation and development of favourable or unfavourable attitudes and behaviour, on attitude change, on the interaction of personality development and education and on the positive or negative effects of educational activity. A substantial part of this research should be devoted to the aspirations of young people concerning international problems and relations.

### **X. International co-operation**

43. Member States should consider international co-operation a responsibility in developing international education. In the implementation of this recommendation they should refrain from intervening in matters which are essentially within the domestic jurisdiction of any State in accordance with the United Nations Charter. By their own actions, they should demonstrate that implementing this recommendation is itself an exercise in international understanding and co-operation. They should, for example, organize, or help the appropriate authorities and non-governmental organizations to organize, an increasing number of international meetings and study sessions on international education; strengthen their programmes for the reception of foreign students, research workers, teachers and educators belonging to workers' associations and adult education associations; promote reciprocal visits by schoolchildren, and student and teacher exchanges; extend and intensify exchanges of information on cultures and ways of life; arrange for the translation or adaptation and dissemination of information and suggestions coming from other countries.

44. Member States should encourage the co-operation between their Associated Schools and those of other countries with the help of UNESCO in order to promote mutual benefits by expanding their experiences in a wider international perspective.

45. Member States should encourage wider exchanges of textbooks, especially history and geography textbooks, and should, where appropriate, take measures, by concluding, if possible, bilateral and multilateral agreements, for the reciprocal study and revision of textbooks and other educational materials in order to ensure that they are accurate, balanced, up to date and unprejudiced and will enhance mutual knowledge and understanding between different peoples.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eighteenth session, which was held in Paris and declared closed the twenty-third day of November 1974

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of November 1974.

*The President of the  
General Conference*

*The Director-General*

## REVISED RECOMMENDATION CONCERNING TECHNICAL AND VOCATIONAL EDUCATION, 1974<sup>1</sup>

### Introduction

*In view of the role of technical vocational education in sustaining the complex structure of modern civilization and continued economic progress and the needs of Member States, particularly the developing countries, for guidance in the planning and improvement of their educational systems, the General Conference decided that technical and vocational education should be made the subject of an international instrument of the form of a Recommendation to Member States. A first Recommendation on Technical and Vocational Education was adopted by the General Conference at its twelfth session in 1962. It set forth general principles to be observed regarding the objectives, planning organization of technical and vocational education, as well as international co-operation in this field.*

*Considering the rapid technological and educational changes and the increasing importance of technical and vocational education for social and economic development, the General Conference decided to revise this Recommendation.*

*The Revised Recommendation, adopted in 1974, emphasises the democratization of education in the context of lifelong education in improving education as a whole for social, economic and cultural development. It sets forth general principles, goals and guidelines to be applied by country according to its needs and resources.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris, at its eighteenth session, held from 17 October to 23 November 1974,  
*Recalling the constitutional responsibilities of the Organization for the promotion of education,*

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<sup>1</sup> Adopted on 19 November 1974 by the General Conference of Unesco at its eighteenth session, held in Paris.

*Recognizing* that technical and vocational education have to contribute to the maintenance of peace and friendly understanding between the various nations,

*Considering* that education must now be seen as a lifelong process,

*Recognizing* that technical and vocational education is a prerequisite for sustaining the complex structure of modern civilization and economic and social development,

*Recalling* the principles set forth in Articles 23 and 26 of the Universal Declaration of Human Rights guaranteeing all the right to work and to education,

*Considering* therefore that all have a right to an education enabling full participation in contemporary society,

*Taking* into account the diversity of education systems throughout the world, as well as the particular and urgent needs of developing countries,

*Considering* that in spite of this diversity similar goals are pursued and similar questions and problems arise in all countries concerning technical and vocational education and that therefore common standards and measures are called for,

*Having* adopted for this purpose at its twelfth session the Recommendation concerning Technical and Vocational Education,

*Recognizing* however that the rapid technological and educational changes of the last decade require new, creative, and efficient efforts in technical and vocational education to improve education as a whole for social, economic and cultural development,

*Having decided* at its seventeenth session that in view of these changes this Recommendation should be revised in order to better serve Member States,

*Noting* that the International Labour Conference has adopted, over the years, a number of instruments dealing with various aspects of vocational guidance and vocational training and, in particular, the Vocational Guidance Recommendation, 1949, the Vocational Training (Agriculture) Recommendation, 1956, and the Vocational Training Recommendation, 1962, and that the Conference, at its 59th session, had adopted substantive conclusions with a view to adoption, in 1975, of a new instrument or instruments on vocational guidance and vocational training,

*Noting* further the close collaboration between UNESCO and the International Labour Organisation (ILO) in drawing up their respective instruments so that they pursue harmonious objectives, avoiding duplication and conflict, and with a view to continued collaboration for effective implementation of the two instruments,

*Adopts* this Recommendation this nineteenth day of November 1974.

*The General Conference* recommends that when developing and improving technical and vocational education, Member States should apply the following provisions by taking whatever legislative or other steps may be required to give effect, within their respective territories, to the principles set forth in this Recommendation.

*The General Conference* recommends that Member States should bring this Recommendation to the knowledge of the authorities and bodies concerned with technical and vocational education.

*The General Conference* recommends that Member States should report to it, at such times and in such manner as shall be determined by it, on the action they have taken to give effect to the Recommendation.

### **I. Scope**

1. This Recommendation applies to all forms and aspects of education which are technical and vocational in nature provided either in educational institutions or under their authority, directly by public authorities, or through other forms of organized education, public or private.

2. For the purposes of this Recommendation: 'technical and vocational education' is used as a comprehensive term referring to those aspects of the educational process involving, in addition to general education, the study of technologies and related sciences and the acquisition of practical skills, attitudes, understanding and knowledge relating to occupations in various sectors of economic and social life. Technical and vocational education is further understood to be:

- (a) an integral part of general education;
- (b) a means of preparing for an occupational field;
- (c) an aspect of continuing education.

3. Technical and vocational education, being part of the total education process, is included in the term 'education' as defined in the Convention and Recommendation against Discrimination in Education adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its eleventh session and the provisions of that Convention and Recommendation are therefore applicable to it.

4. This recommendation should be understood as setting forth general principles, goals and guidelines to be applied by each individual country according to needs and resources. The application of the provisions in their particulars and the timing of the implementation will therefore depend upon the conditions existing in a given country.

## **II. Technical and vocational education in relation to the educational process: objectives**

5. Given immense scientific and technological development, either in progress or envisaged, which characterizes the present era, technical and vocational education should be a vital aspect of the educational process and in particular should:

- (a) contribute to the achievement of society's goals of greater democratization and social, cultural and economic development, while at the same time developing the potential of individuals for active participation in the establishment and implementation of these goals;
- (b) lead to an understanding of the scientific and technological aspects of contemporary civilization in such a way that men comprehend their environment and are capable of acting upon it while taking a critical view of the social, political and environmental implications of scientific and technological change.

6. Given the necessity for new relationships between education, working life, and the community as a whole, technical and vocational education should exist as part of a system of lifelong education adapted to the needs of each particular country. This system should be directed to:

- (a) abolishing barriers between levels and areas of education, between education and employment and between school and society through:
  - (i) the integration of technical and vocational and general education in all educational streams above primary level;
  - (ii) the creation of open and flexible educational structures;
  - (iii) the taking into account of individuals' educational needs and of the evolution of occupations and jobs;
- (b) improving the quality of life by permitting the individual to expand his intellectual horizons and to acquire and to constantly improve professional skills and knowledge while allowing society to utilize the fruits of economic and technological change for the general welfare.

7. Technical and vocational education should begin with a broad basic vocational education, thus facilitating horizontal and vertical

articulation within the education system and between school and employment thus contributing to the elimination of all forms of discrimination and should be designed so that it:

- (a) is an integral part of everyone's basic general education in the form of initiation to technology and to the world of work;
- (b) may be freely and positively chosen as the means by which one develops talents, interests and skills leading to an occupation in the sectors listed in paragraph 2 or to further education;
- (c) allows access to other aspects and areas of education at all levels by being grounded on a solid general education and, as a result of the integration mentioned in paragraph 6(a), containing a general education component through all stages of specialization;
- (d) allows transfers from one field to another within technical and vocational education;
- (e) is readily available to all and for all appropriate types of specialization, within and outside formal education systems, and in conjunction or in parallel with training in order to permit educational, career and job mobility at a minimum age at which the general basic education is considered to have been acquired, according to the education system in force in each country;
- (f) is available on the above terms and on a basis of equality to women as well as men;
- (g) is available to disadvantaged and handicapped persons in special forms adapted to their needs in order to integrate them more easily into society.

8. In terms of the needs and aspirations of individuals, technical and vocational education should:

- (a) permit the harmonious development of personality and character and foster the spiritual and human values, the capacity for understanding, judgement, critical thinking and self-expression;
- (b) prepare the individual to learn continuously by developing the necessary mental tools, practical skills and attitudes;
- (c) develop capacities for decision-making and the qualities necessary for active and intelligent participation, teamwork and leadership at work and in the community as a whole.

### **III. Policy, planning and administration**

9. Policy should be formulated and technical and vocational education administered in support of the general objectives adopted for the educational process as well as for national and, if possible,



regional social and economic requirements, and an appropriate legislative and financial framework adopted. Policy should be directed to both the structural and the qualitative improvement of technical and vocational education.

10. Particular attention should be given to planning the development and expansion of technical and vocational education:

- (a) high priority should be placed on technical and vocational education in national development plans as well as in plans for educational reform;
- (b) planning should be based upon a thorough evaluation of both short-term and long-term needs taking into consideration any variation in needs which may exist within a country;
- (c) adequate provision for proper current and future allocation of financial resources should be a major element of planning;
- (d) planning should be done by a responsible body or bodies having authority on the national level. This body should have available to it data which have been collated, analysed, synthesized and interpreted by qualified staff provided with adequate research facilities.

11. Planning should be responsive to national and, if possible, regional, economic and social trends, to projected changes in demand for different classes of goods and services, and for different types of skills and knowledge in such a way that technical and vocational education may easily adapt to the evolving situation be it rural or urban. This planning should also be co-ordinated with current and projected training action and the evolution of employment.

12. While the education authorities should have primary responsibility, the following groups and authorities should be actively associated in policy formulation, and in the planning process. Structures, on both national and local levels, taking the form of public agencies or consultative or advisory bodies, should be created to permit this:

- (a) public authorities responsible for planning economic and social policy, labour and employment, and for the various occupational sectors (industry, agriculture, commerce);
- (b) representatives of non-governmental organizations within each occupation sector from among employers and workers;
- (c) any authority or body, such as a training body or extension services, responsible for out-of-school education and training;
- (d) representatives of those responsible—both in public education and in State-recognized private education—for executing edu-

cational policy including teachers, examining bodies and administrators;

- (e) parent, former pupil, student and youth organizations; (f) representatives from the community at large.

13. Policies for the structural improvement of technical and vocational education should be established within the framework of broad policies designed to implement the principle of lifelong education through the creation of open, flexible and complementary structures for education, training and educational and vocational guidance, regardless of whether these activities take place within the system of formal education or outside it. In this respect consideration should be given to the following:

- (a) multipurpose secondary education offering diversified curricula including work-study programmes;
- (b) open tertiary institutions recruiting from a variety of sources and offering programmes ranging from short specialized ones to longer full-time programmes of integrated studies and professional specialization;
- (c) establishing a system of equivalencies whereby credit is given for completion of any approved programme and recognition is granted to educational and professional qualifications achieved through various means.

14. Policy should be directed to ensuring high quality in such a way as to exclude the possibility of any judgement which discriminates between the different educational streams, whatever their ultimate goal. In this respect special efforts should be made to ensure that technical and vocational education in rural areas meets the same standards as that offered in urban ones.

15. In order to ensure quality, responsible national authorities should establish certain criteria and standards, subject to periodic review and evaluation, applying in all aspects of technical and vocational education, including to the extent possible non-formal education for:

- (a) all forms of recognition of achievement and consequent qualification;
- (b) staff qualifications;
- (c) ratios of teaching and training staff to learners;
- (d) the quality of curricula and teaching materials;
- (e) safety precautions for all learning environments;
- (f) physical facilities, building, workshop layouts, quality and type of equipment.

16. Policies should be established fostering research related to technical and vocational education, with particular emphasis on its potential within lifelong education, and directed to its improvement. This research should be carried out by competent staff on national and institutional levels as well as through individual initiative. To this end:

- (a) special emphasis should be placed on curriculum development, research concerning teaching and learning methods and materials, and where the need exists, on technologies and techniques applied to development problems;
- (b) financial resources and physical facilities should be made available through institutions of higher education, specialized research institutions and professional organizations for applying the results of this research on an experimental basis in representatively selected institutions for technical and vocational education;
- (c) channels should be created for the widespread dissemination and rapid application of the positive results of research and experimentation;
- (d) the effectiveness of technical and vocational education should be evaluated using, among other data, relevant statistics including those concerning part-time enrolments and drop-out rates which are in some cases neglected;
- (e) particular attention should be given to all research efforts to humanize working conditions.

17. Provision should be made within administrative structures for evaluation supervisory and accreditation services, staffed by technical and vocational education specialists, to ensure the rapid application of new research findings and to maintain standards:

- (a) evaluation services as a whole should ensure the quality and smooth operation of technical and vocational education by continuous review and action directed to constant improvement of staff, facilities and programmes;
- (b) supervisory services for the staff should encourage improvement in the quality of teaching by providing guidance and advice and recommending continuing education;
- (c) all programmes of technical and vocational education, in particular, those offered by private bodies, should be subject to approval by the public authorities through some means of accreditation or form of public inspection.

18. Particular attention should be given to the material resources required for technical and vocational education; Priorities should be carefully established with due regard for immediate needs and the

probable directions of future expansion and adequate cost controls introduced:

- (a) institutional planning should be directed to ensuring maximum efficiency and flexibility in use;
- (b) the planning, construction and equipping of facilities should be carried out in collaboration with specialist teachers and educational architects and with due regard for their purpose, prevailing local factors and relevant research;
- (c) adequate funds should be allocated for recurrent expenditure for supplies and maintenance and repair of equipment.

#### **IV. Technical and vocational aspects of general education**

19. An initiation to technology and to the world of work should be an essential component of general education without which this education is incomplete. An understanding of the technological facet of modern culture in both its positive and negative attributes, and an appreciation of work requiring practical skills should thereby be acquired. This initiation should further be a major concern in educational reform and change with a view to greater democratization of education. It should be a required element in the curriculum, beginning in primary education and continuing through the early years of secondary education.

20. Opportunities for general technical and vocational initiation should continue to be available to those who wish to avail themselves of it within the educational system and outside it in places of work or community centres.

21. The technical and vocational initiation in the general education of youth should fulfil the educational requirements of all ranges of interest and ability. It should mainly perform three functions:

- (a) to enlarge educational horizons by serving as an introduction to the world of work and the world of technology and its products through the exploration of materials, tools, techniques and the process of production, distribution and management as a whole and to broaden the learning process through practical experience;
- (b) to orient those with the interest and ability toward technical and vocational education as preparation for an occupational field or toward training outside the formal education system;
- (c) to promote in those who will leave formal education at whatever level but with no specific occupational aims or skills, attitudes of mind and ways of thought likely to enhance their aptitudes and potential, to facilitate the choice of an occupation

and access to a first job, and to permit them to continue their vocational training and personal education.

22. Required general technical and vocational studies in the schools having great importance for the orientation and education of youth programmes, should include a proper balance between theoretical and practical work. A properly structured programme of such studies should be drawn up by the competent authorities in collaboration with the professional community and with those responsible for technical and vocational education. These programmes should:

- (a) be based upon a problem-solving and experimental approach and involve experience in planning methods and decision-making;
- (b) introduce the learner to a broad spectrum of technological fields and at the same time to productive work situations;
- (c) develop a certain command of valuable practical skills such as tool use, repair and maintenance and safety procedures, whether applicable to future education, training and employment or to leisure time, and a respect for their value;
- (d) develop an appreciation of good design and craftsmanship and the ability to select goods on the basis of their quality;
- (e) develop the ability to communicate including the use of graphical means;
- (f) develop the ability to measure and calculate accurately;
- (g) be closely related to the local environment without, however, being limited to it.

23. The technical and vocational initiation in programmes of general educational enrichment for older youth and adults should be directed to enabling those engaged in working life to:

- (a) understand the general implications of technological change, its impact on their professional and private lives, and how man may shape this change;
- (b) to use practical skills for improving the home and community environment and thus the quality of life and, in appropriate conditions, for productive leisure-time activities.

#### **V. Technical and vocational education as preparation for an occupational field**

24. Given disparities that may exist between formal education, whether secondary or tertiary, and the employment and career opportunities available the highest priority should be given to technical and vocational education which prepares young people to exercise occupations in the sectors covered by this recommenda-

tion. Consequently the structure and content of traditional education, whether general or technical and vocational, should be adapted accordingly through:

- (a) the diversification of secondary education in the later stages so that it may be pursued in conjunction with employment or training, or may lead to employment or to higher education, thereby offering to all youth educational options corresponding to their needs;
- (b) the introduction of new programmes into tertiary education more relevant to the career needs of young adults;
- (c) the development of educational structures and programmes on all levels centred on organized and flexible interchange between educational institutions including training institutions and those responsible for employment in the various occupational sectors.

25. Technical and vocational education as preparation for an occupational field should provide the foundation for productive and satisfying careers and should:

- (a) lead to the acquisition of broad knowledge and basic skills applicable to a number of occupations within a given field so that the individual is not limited by his education in his freedom of occupational choice, and later transfer from one field to another in the course of working life is facilitated;
- (b) at the same time offer a thorough and specialized preparation for initial employment and effective training within employment;
- (c) provide the background in terms of skills, knowledge and attitudes, for continuing education at any point in the individual's working life.

26. Premature and narrow specialization should be avoided:

- (a) in principle 15 should be considered the lower age limit for beginning specialization;
- (b) a period of common studies concerning basic knowledge and skills should be required for each broad occupational sector before a special branch is chosen.

27. Because it is desirable that women seek wider participation in all kinds of occupations outside family and domestic activities, they should have the same educational opportunities available to them as men in order to prepare for an occupation and should be encouraged to take advantage of these through appropriate legislative measures and widespread distribution of information concerning these opportunities.

28. Special provision should be made for out-of-school and unemployed youth and children of migrant workers with the minimum or less of primary education, as well as for those not entering education or training programmes after completion of compulsory schooling, in order that they may acquire employable skills.

29. Given the necessity of integrating the physically and mentally disadvantaged into society and its occupations, the same educational opportunities should be available to them as to the non-handicapped in order that they may achieve qualification for an occupation; special measures or special institutions may be required.

### *Organization*

30. Technical and vocational education as preparation for an occupational field should be organized on a national or, if possible, regional basis, so as to respond positively to over-all social, economic and educational requirements and to the needs of different groups of the population without discrimination.

31. Several organizational patterns of technical and vocational education, including both full-time and part-time options should exist within each country. The following patterns of organization for example should be considered:

- (a) full time including practical training as well as general education, provided in an educational establishment, either comprehensive or specialized;
- (b) part-time programmes such as the following in which general education and theoretical and broad practical aspects of the occupational field are given in an educational establishment while specialized practical training is acquired during work in the chosen occupation:
  - (i) the day-release system providing for young workers and apprentices to attend an educational establishment at least one day a week and preferably two;
  - (ii) the sandwich system under which periods in an educational institution alternate with training periods in a factory, farm, business establishment or other undertaking;
  - (iii) the block-release system whereby young workers are released to attend courses for one or two short periods of at least ten to fifteen weeks in total length per year which may be especially adapted to conditions in areas of low population density by provision of boarding facilities.

32. The responsible authorities should encourage part-time education, therefore:

- (a) these programmes should be available directly after completion of minimum compulsory or required schooling, and should continue to be available to the highest level of formal education;
- (b) the educational qualifications acquired by this means should be equivalent to those acquired by full-time education;
- (c) where employers are responsible for the practical training aspect for part-time students, this training should be as broad as possible serving the educational and training needs of the individual, and should meet national standards.

33. In view of the increasing requirement for highly qualified middle-level manpower in all fields, and the increasing numbers completing secondary education or its equivalent, the development of programmes of technical and vocational education corresponding to further qualifying tertiary education should be given high priority. The following patterns of organization should be considered;

- (a) a period of from one to two years of guided work experience followed by a part-time or briefer full-time programme of specialization;
- (b) part-time programmes;
- (c) full-time programmes as an extension of programmes given in specialized secondary institutions or given in tertiary institutions.

34. The high cost of equipment for the practical component of technical and vocational education requires that this be organized so that benefits received are in proportion to the cost. Consideration should be given to the following as a means of achieving this:

- (a) centralized workshops, or mobile units, could be used to serve several educational institutions;
- (b) workshops attached to educational institutions could be designed so that they are suitable for use by the community at large particularly for continuing education programmes;
- (c) although workshops and laboratories in advanced secondary or tertiary institutions should be designed primarily for pedagogical purposes, they might also be equipped and staffed so that equipment for use in technical and vocational studies in general education may be produced.

35. Enterprises should be closely associated in the practical training of those preparing for occupations in their particular sector, and



should be encouraged to take responsibility, in co-operation with educational institutions, for the organization of this training.

*Programme content*

36. All programmes of technical and vocational education as preparation for an occupational field should:

- (a) aim at providing scientific knowledge, technical versatility and the broad skills and knowledge required for rapid adaptation to new ideas and procedures and for steady career development;
- (b) be based on an analysis of broad occupational requirements worked out for the long term between education authorities including organizations representing educational research and administration and employment authorities and occupational organizations concerned;
- (c) include a proper balance between general subjects, science and technology, and studies of both the theoretical and practical aspects of the occupational field, with the practical component in all cases related to the theoretical one;
- (d) stress developing a sense of professional values and responsibilities from the standpoint of human needs.

37. In particular programmes should:

- (a) whenever possible be interdisciplinary in character as many occupations now require knowledge and training in two or more traditional areas of study;
- (b) be based on curricula designed around core knowledge and skills;
- (c) include studies of the social and economic aspects of the occupational field as a whole;
- (d) include the study of at least one foreign language of international use which, while conducive to a higher cultural level, will give special emphasis to the requirements of communication and the acquisition of a scientific and technical vocabulary;
- (e) include an introduction to organizational and planning skills;
- (f) emphasize instruction in safety procedures relative to the materials and equipment used in a given occupational field and the importance of safe working conditions and the health aspects relative to the occupation as a whole.

38. While based on the above general principles and components, and thus pursuing in all cases broader educational aims, programmes in their practical aspect should be designed taking into account special occupational requirements with regard to the par-

ticular executive, organizational, analytical and practical skills required.

39. Technical and vocational education programmes leading to university qualification, while encouraging research and offering high-level specialization, should be developed with particular attention to:

- (a) the inclusion of components directed to developing attitudes whereby those with broad responsibilities in technological fields constantly relate their professional tasks to larger human goals;
- (b) relating more closely higher technical and vocational education for the industrial and agricultural sectors to the requirements of these sectors. In this regard consideration should be given to creating within tertiary institutions, centres for the testing and certification of industrial and agricultural products, supervised by the public authorities and serving both educational and research purposes.

40. Programmes of technical and vocational education as preparation for occupations within the agricultural sector should be designed in accordance with the over-all social and economic requirements of rural development. Therefore:

- (a) both general aspects and the technical and vocational aspects, while adapted in terms of both organization and content to the special requirements of agricultural occupations, should be of the same quality as those for other occupational areas;
- (b) programmes should be directed to the development and application of technologies especially suited to rural development through close co-ordination between education and extension services and between these and research services and institutions;
- (c) programmes should be directed to preparing qualified people for all types of occupations and ranges of technical competence necessary for rural development;
- (d) programmes should be broadly conceived, including in addition to the special occupational area, an introduction to the commercial aspects of agriculture and the functioning of rural economic institutions.

41. Where lack of resources limits the expansion of technical and vocational education, emphasis in the initial stages should be placed on developing programmes for occupations in areas of critical manpower shortage, and in areas of immediate development potential.

42. Programmes preparing for occupations in small industry, individual farming or the artisan trades, whether urban or rural, and particularly for self-employment, should include commercial studies enabling those engaged in such occupations to take responsibility not only for production, but also for marketing, competent management and the rational organization of the whole enterprise.

43. Programmes leading to occupations in the business and commercial sector should include:

- (a) a thorough grounding in the methods and skills developed as a result of the application of technology to business and office management and particularly to the acquisition and processing of information;
- (b) training in the organizational and management skills required for the smooth operation of enterprises in all economic sectors;
- (c) an introduction to marketing and distribution procedures.

44. Special attention should be given to developing programmes for preparing personnel at all levels for the social services sector (e.g. community and family work, nursing and paramedical occupations, nutrition and food technology, home economics and environmental improvement). Those programmes should:

- (a) emphasize the relation of the special occupational field to raising standards of living in terms of food, clothing, housing, medical services, the quality of family life or that of the environment as the case may be;
- (b) be well adapted to the special requirements of local conditions in particular those of climate and geography, materials available and community organization and social patterns.

## **VI. Technical and vocational education as continuing education**

45. The development and expansion of technical and vocational education as continuing education, both within and outside the formal education system, and within the framework of lifelong education, should be a priority objective of all educational strategies and broad provision should be made for allowing everyone, whatever the educational qualifications achieved prior to employment, to continue both their professional and general education.

46. In addition to permitting adults to make up deficiencies in general education or professional qualifications, which has often been the only objective of continuing education, it should now:

- (a) offer possibilities of personal development and professional advancement;

- (b) permit the updating and refreshing of knowledge and practical abilities and skills in the occupational field;
- (c) enable the individual to adapt to technological changes in his occupation or to enter another occupation if these changes render his particular job obsolete;
- (d) be available throughout working life without restriction of age, sex, prior education and training or position;
- (e) be broad in scope, including general education elements, and not simply specialized training for one particular job.

47. The appropriate authorities should be encouraged to provide the basic conditions for technical and vocational education as continuing education, including consideration of measures providing for paid educational leave or other forms of financial aid.

48. The technical and vocational aspect of continuing education should actively be encouraged through such means as:

- (a) widespread dissemination of information concerning the programmes available, and how one may take advantage of existing opportunities, including full use of mass media to this end;
- (b) recognition of successful completion of programmes in terms of remuneration and professional advancement.

49. Those responsible for organizing programmes of continuing technical and vocational education recognized by the public authorities should consider the following forms:

- (a) courses given during working hours at the place of work;
- (b) fuller part-time courses especially designed for continuing education given in secondary and tertiary institutions, already staffed and equipped for technical and vocational education;
- (c) evening and week-end courses given in the above types of institutions or in community centres;
- (d) correspondence courses;
- (e) courses given on educational television;
- (f) periodic seminars;
- (g) inter-enterprise programmes;
- (h) informal discussion groups created and organized on the initiative of students.

50. The following forms of organization of leave should be considered:

- (a) day release;
- (b) block release of varying lengths;
- (c) release for one or more hours during the working day.

51. Programmes of technical and vocational education as continuing education should:
- (a) be designed and taught on the basis of the special requirements of adults, and use teaching methods which take into account the expertise which they have already acquired;
  - (b) contain a built-in mechanism for rapid adjustment to the needs of particular individuals or groups and to technological change.
52. Special provision should be made for groups with particular requirements:
- (a) in the case of women, because of the necessity of periods of absence from the labour force imposed by maternity and family responsibilities, in order to enable them to update their knowledge and to improve their professional skills for re-entry into employment;
  - (b) to enable older workers to adapt to new occupations;
  - (c) to provide foreign workers and handicapped workers with specific facilities for pre-training to enable them to adapt to a training programme or to working life;
  - (d) the resources of continuing education should be used to offer unskilled and semi-skilled workers the opportunity to improve their qualifications.
53. Particular attention should be paid to the development of continuing education programmes suitable in rural areas in terms of content, physical location and time of year offered.

## **VII. Guidance**

54. Guidance should be viewed as a continuous process and a vital element in education, directed to aiding all to make positive educational and occupational choices. It should ensure that the individual be provided with the necessary prerequisites:
- (a) to become aware of his interests and abilities and able to set himself precise objectives;
  - (b) to pursue a course of education, whether preparatory or continuing, commensurate with these;
  - (c) to make decisions concerning his occupation, both in the initial and later stages, which lead to a satisfying career;
  - (d) to facilitate transitions between education and employment at whatever level or stage.
55. Guidance services on the national, local and institutional levels should ensure that the paths are kept open between education and

initial training and employment, and employment and continuing education and training through:

- (a) close liaison and co-ordination with training, counselling, employment and placement services;
- (b) ensuring that all necessary information concerning employment and career opportunities is available and actively disseminated;
- (c) ensuring that those in employment have access to information concerning opportunities in continuing education and training.

56. While emphasizing the needs of the individual, guidance for young people should be accompanied by information which gives them a realistic view of the opportunities available in a given occupational cluster, including information regarding probable developments in the market and in employment structures, and what may be expected in terms of remuneration, career advancement and possibilities for occupational change.

57. Particular attention should be given to guidance for girls and women:

- (a) this guidance should cover the same broad range of education, training and employment opportunities as for boys and men;
- (b) it should systematically encourage girls and women to take advantage of the opportunities available to them.

58. Guidance given in the technical and vocational aspects of general education during the observation or orientation cycle of secondary schooling should:

- (a) cover a broad range of occupations with supplementary visits to work places and acquaint the student with the eventual necessity of choosing an occupation and the importance of this choice being as rational as possible;
- (b) aid students in making a positive choice concerning educational streams or options for those wishing to pursue technical and vocational education as preparation for an occupational field or training programmes outside the educational system, and aid those not continuing their formal education or entering training to find employment, while encouraging them to continue their education at a later date.

59. Guidance in technical and vocational education as preparation for an occupational field should:

- (a) inform the student of the various possibilities open in the particular field of interest, the educational background required and the possibilities for later continuing education;

- (b) encourage the student to choose an educational programme which will limit his later employment options as little as possible;
- (c) follow the progress of the student during the educational programmes;
- (d) supplement the later stages of the programmes by short periods of work experience and study of real work situations.

60. Guidance in technical and vocational education as continuing education should:

- (a) help the employed adult choose the programme of continuing education most suited to his needs;
- (b) enable him to place himself in relation to the various levels of study and afford him the means of making effective choices.

61. Guidance should be given on the basis of:

- (a) knowledge of the individual which takes account of the social and family factors influencing his attitudes and expectations;
- (b) information obtained from objective evaluation of the results of testing including aptitude tests;
- (c) knowledge of his educational achievements and/or achievements in employment;
- (d) knowledge of employment and career opportunities as well as job satisfaction in the occupational sector in which he is interested or engaged and of demands made;
- (e) medical records indicating whether the student is physically able to pursue a given occupation.

62. The effectiveness of guidance services should continually be assessed and statistics kept on both the national and institutional levels through:

- (a) the keeping of cumulative records concerning the education of the student as well as follow-up records concerning his employment;
- (b) a built-in system of evaluation of both quality of staff performance and the methods used in order to effect change or improvement where needed.

### **VIII. The teaching and learning processes: methods and materials**

63. In all aspects of technical and vocational education, the methodology of learning should assume equal importance in the teaching and learning process with the subject-matter itself. All aspects of technical and vocational education should be oriented to the

needs of the learner and directed to motivating him, and methods and materials developed accordingly.

64. Theory and practice should form an integrated whole: what is learned in the laboratory, workshop or in enterprises should be directly related to the mathematical and scientific foundations of the particular operation or process, and conversely, technical theory, as well as the mathematics and science sustaining it, should be illustrated through their practical applications.

65. Full use should be made of the resources provided by educational technology, with special emphasis on the methods and materials of self-education, in particular audio-visual aids, including multi-media systems, programmed instruction and the use of mass media.

66. The methods and materials used in technical and vocational education should be carefully adapted to the group to be taught. In this respect:

- (a) where the language of instruction differs from the native language, teaching materials should make maximum use of numerical and graphical representation, written material being kept to a minimum;
- (b) where materials developed in one country are adapted for use in another, this adaptation should be carefully made with due regard to local factors.

67. Machines and equipment used in workshops in educational institutions should be geared to the level and training of the users. This equipment should be simple and designed especially for pedagogical purposes without however being obsolete or teaching obsolete procedures. Training using complex equipment may be given more appropriately and efficiently on the job.

#### *Evaluation*

68. Evaluation should be an integral part of the teaching and learning process in technical and vocational education, and its major function should be the development of the particular individual in accordance with his interests and capacities.

69. Although standards of performance should be upheld, evaluation of the student's work should be made on a total basis considering among others his class participation, his interest and attitude,



his relative progress, allowance being made for his aptitudes, and examinations and other tests.

70. Students should participate in the evaluation of their own progress and the evaluation of student work should have a system of feedback built into it so that learning problems and their causes may be identified and steps taken to correct them.

71. Continuous evaluation of the teaching process should be made by both teachers and their supervisors, with the participation of students as well, in order to determine the effectiveness of the methods and materials used, and to devise alternatives should the need arise. Continuous evaluation of the teaching-learning process should be undertaken with the participation of representatives from the occupational fields concerned.

## **IX. Staff**

72. To enhance the achievement of the objectives of technical and vocational education, a priority should be given to the recruitment and preparation of adequate numbers of well-qualified and competent teachers, administrators, and guidance staff and to the provision of the necessary training and other facilities to enable them to function effectively in their profession.

73. The emoluments and conditions of service which are offered should compare favourably with those enjoyed by persons with similar qualification and experience in other occupational sectors. In particular, promotions, salaries and pension scales for technical and vocational education staff should take into account any relevant experience acquired in employment outside the educational sector.

### *Teaching staff*

74. All teachers in technical and vocational education, including those who teach only practice, should be considered an integral part of the teaching profession and as such should be recognized as having the same status as their colleagues in other fields. In this regard:

- (a) the Recommendation concerning the Status of Teachers adopted by the Special Intergovernmental Conference on the Status of Teachers on 5 October 1966 is applicable to them especially as regards the provisions concerning preparation for a profession and continuing education; employment and career; the rights and responsibilities of teachers; conditions

- for effective teaching and learning; teachers' salaries; social security;
- (b) arbitrary distinctions between teachers employed by various types of educational institutions, e.g. specialized technical and vocational institutions and general education institutions should be eliminated.

75. Teachers involved in any aspect of technical and vocational education, whether on a full-time or part-time basis, should possess the personal, ethical, professional and teaching qualities essential for the accomplishment of their work.

76. Teachers of technical and vocational aspects in general education should:

- (a) be familiar with a broad range of specialities;
- (b) develop the ability to relate these to each other as well as to the larger social, economic and historical and cultural context;
- (c) where this aspect of technical and vocational education serves primarily an occupation or educational orientation function, be able to give guidance.

77. Considering technical and vocational education as preparation for an occupational field, teachers in this area should have special qualifications depending on the occupation for which they are preparing students:

- (a) if the occupational field requires primarily practical skills the teacher should himself have long employment experience in the exercise of these skills;
- (b) if students are to be prepared for technician or middle management positions, teachers should have a thorough knowledge, preferably acquired through appropriate practical experience, of the special requirements of this type of position;
- (c) if the occupational field requires research and theoretical analysis, e.g. an engineering field, the teacher should have a university education and be actively engaged in research himself.

78. Considering technical and vocational education as continuing education, teachers in this area should, in addition to the special preparation for teaching adults, have an adequate knowledge of the working environment of their students and have specialized knowledge and skills in their teaching field.

79. Skilled professionals employed in appropriate sectors outside education should be invited to teach, at suitable points in technical

and vocational education, certain programmes in schools, universities or other educational institutions in order to link the world of work more closely to the classroom.

80. Teachers of general subjects in institutions which offer technical and vocational education, in addition to the usual qualification, both professional and in their teaching field, should receive a special initiation concerning the objectives and requirements of technical and vocational education.

81. Preparation for technical and vocational teaching should be given as a tertiary programme, thereby requiring completion of secondary education or its equivalent for entrance. All types of programme should be designed with the following objectives in mind:

- (a) to maintain standards of education and professional preparation in vigour for the teaching profession as a whole and to contribute to the raising of these over-all standards;
- (b) to develop in the future teacher the ability to teach both theoretical and practical aspects of his field;
- (c) to ensure that the teacher will be qualified, with minimum further training, to teach other groups than those for which he was prepared initially.

82. Varied and flexible programmes, full time and part time, adapted to the special requirements of a wide variety of recruitment sources as well as to those of the field to be taught and the group or groups to be taught should be available.

83. In those cases where it is difficult for intending technical and vocational teachers to acquire employment experience, consideration should be given to creating units, attached to teacher-training institutions, for the production of equipment and teaching materials for the schools in which intending teaching staff would be required to work for varying lengths of time.

84. The professional preparation of all technical and vocational teachers should include the following elements:

- (a) educational theory both in general and as especially applying to technical and vocational education;
- (b) educational psychology and sociology as it especially applies to the group or groups for which the future teacher will be responsible;
- (c) special teaching methods appropriate to the field of technical and vocational education for which the future teacher is pre-

- paring and the groups to be taught, in methods of evaluation of student work and in classroom management;
- (d) training in the choice and use of the whole range of modern teaching techniques and aids presupposing the use of up-to-date methods and materials in the programme of professional preparation itself;
  - (e) training in how to create and produce appropriate teaching materials, of special importance in those cases where technical and vocational teaching materials are in short supply;
  - (f) a period of supervised practice teaching experience before appointment to a teaching post;
  - (g) an introduction to educational and occupational guidance methods as well as to educational administration;
  - (h) a thorough grounding in safety and emphasis on the ability to teach safe working practice and habitually to set a good working example.

85. Staff responsible for the preparation of technical and vocational teachers should have obtained the highest qualifications possible in their field:

- (a) teacher-educators responsible for special technical and vocational fields should have qualifications in their field equivalent to those of special subjects staff in other institutions and programmes of higher education, including advanced degrees and employment experience in a related occupational field;
- (b) teacher-educators responsible for the pedagogical aspect of teacher preparation should themselves be experienced teachers in technical and vocational education and should possess the highest qualifications in a specialized field of education.

86. Staff responsible for the preparation of technical and vocational teachers should be actively engaged in research in their field and provision should be made for this in terms of a reasonable teaching load and access to appropriate facilities.

87. Teaching staff should be encouraged to continue their education, whatever the field in which they specialize, and should have the necessary means to do so. This continuing education which should be made available in a wide range of facilities, should include:

- (a) periodic review and updating of knowledge and skills in the special field;
- (b) periodic updating of professional skills and knowledge;
- (c) periodic work in the occupational sector relating to the special field.

88. Account should be taken of a teacher's achievements in continuing education when the responsible authorities consider questions of promotion, seniority and status concerning him.

*Administrative and guidance staff*

89. Administrative responsibilities for technical and vocational education programmes should be entrusted to persons with the following qualifications:

- (a) teaching experience in a field of technical and vocational education;
- (b) proficiency acquired through study and employment experience in one of the fields taught in the programme;
- (c) a broad vision of technical and vocational education as a whole and of the interrelation of the various aspects;
- (d) a knowledge of administrative techniques.

90. The heads of establishments in technical and vocational education should receive adequate administrative assistance so that they can devote most of their time to the highly important educational and scientific aspects of their work. Technical and vocational education establishments should have sufficient staff to provide the following services:

- (a) advice and guidance for candidates and students;
- (b) the preparation, supervision and co-ordination of all practical work and experiments;
- (c) the maintenance of instruments, apparatus and tools in workshops and laboratories.

91. Administrators should keep up to date with new administrative techniques and trends through programmes of continuing education. Prospective administrators should receive special training in methods and problems involved in the task. This preparation should include:

- (a) management methods appropriate to educational administration;
- (b) methods of allocation of available resources given the objectives of the various programmes for which they will be responsible;
- (c) planning methods.

92. Guidance staff should receive special preparation for their tasks whether they are specialists or are teachers serving also as guidance staff. This preparation should stress psychology, pedagogy, sociology and economics. Guidance staff should be equipped to make objective assessments of aptitude, interest and motivation

and to have at hand up-to-date information concerning career and education opportunities. During this preparation they should acquire a direct knowledge of the economy and the world of work through systematically organized visits to enterprises and periods of time spent in enterprises. Guidance staff should be required and provided with facilities—including the opportunity for practical experience—to keep up with new methods of guidance and information as to new or changed educational training and employment opportunities.

## **X. International co-operation**

93. Member States should give priority to international co-operation in the field of technical and vocational education.

- (a) This co-operation, whether in the framework of bilateral or multilateral agreements, or through international organizations, should be directed to improving the quality of technical and vocational education and developing and expanding it where necessary.
- (b) Every effort should be made to co-ordinate within any given country the international assistance activities in the field of technical and vocational education.

94. Member States should take special measures to provide foreigners (in particular migrants and refugees) and their children living within their territory with technical and vocational education. Such measures should take into account the special needs of such persons in the host country as well as in view of their possible return to their country.

95. Provisions should be made at national, regional and international levels for the regular exchange of information, documentation, and materials of international interest obtained from research and development efforts on all levels concerning technical and vocational education, in particular:

- (a) publications concerning, among others, comparative education, psychological and pedagogical problems affecting general and technical and vocational education, and current trends;
- (b) information and documentation concerning curriculum development, methods and materials, study opportunities abroad, employment opportunities including manpower requirements, working conditions and social benefits;
- (c) teaching materials and equipment;
- (d) mass media programmes of an informational or pedagogical character.

96. Regional co-operation among countries having a common cultural heritage and facing common problems in the development or extension of technical and vocational education should be highly encouraged through:

- (a) periodic meetings on the ministerial level and the establishment of a standing committee or organization to review policies formulated and actions taken;
- (b) the creation of joint facilities for higher level research, the development of prototype materials and equipment, and the preparation of staff for the training of teachers where the costs of such facilities are too high to be sustained by any one country in a given region.

97. The development of both written and audio-visual teaching and learning materials which are suitable for international or regional use should be considered a priority area in international co-operation. These materials should contribute to the progressive establishment of common standards for professional qualifications acquired through technical and vocational education.

98. Member States should encourage the creation of a climate of opinion favourable to international co-operation in the field of technical and vocational education through:

- (a) teacher and student fellowships and exchanges;
- (b) establishment of sustained contacts between similar institutions in different countries;
- (c) provision of employment experience abroad, particularly when opportunities at home are limited.

99. To facilitate international co-operation, Member States should apply within technical and vocational education internationally recommended standards and norms relating in particular to:

- (a) systems of measure;
- (b) scientific and technical symbols;
- (c) occupational qualifications;
- (d) information processing;
- (e) equivalencies of qualifications acquired through technical and vocational education implying standardization of curricula and testing, including aptitude tests, for some technical fields;
- (f) safety and security through testing of materials and products.

100. Internationally recommended standards and norms concerning technical and vocational education should be continuously evaluated through sustained research concerning the effectiveness of their application in the various countries especially in order to facilitate the establishment of equivalence of qualifications and free

movement of individuals between the different national systems of education. The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eighteenth session, which was held in Paris and declared closed the twenty-third day of November 1974.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of November 1974.

*The President of the General  
Conference*

*The Director-General*



## RECOMMENDATION ON THE STATUS OF SCIENTIFIC RESEARCHERS, 1974<sup>1</sup>

### Introduction

*This Recommendation is a normative text of rather more comprehensive scope than its title might indicate.*

*Its provisions assume an enhanced urgency in view of the stress laid on the theme 'Development of Human Resources' in the recommendations adopted at the United Nations Conference on Science and Technology for Development (UNCSTAD) held in Vienna in August 1979.*

*The Recommendation comprises first of all a Preamble recalling the reasons which convinced the General Conference that a formal Recommendation to Member States constituted an appropriate and timely vehicle for codifying the principles and norms which its text sets out.*

*After a first substantive section defining the scope of application of the text, there follows a section devoted to the role of scientific researchers in the context of national policy-making. The third section deals with the initial education and training of such researchers. The fourth section deals with the vocation of the scientific researcher, firstly as regards the civic and ethical aspects of such research, secondly as regards its international aspect. The fifth and longest section deals with nine specific and concrete elements of the conditions necessary for the conduct of successful research and experimentation. In a penultimate section, recommendations are made as to the utilization and implementation of the Recommendation. The provision is designed to preserve the status already acquired by researchers.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 17 October to 23 November 1974, at its eighteenth session,  
*Recalling* that, by the terms of the final paragraph of the Preamble to its Constitution, UNESCO seeks - by means of promoting

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<sup>1</sup> Adopted on 20 November 1974 by the General Conference of UNESCO at its eighteenth session, held in Paris.

(*inter alia*) the scientific relations of the peoples of the world - to advance the objectives of international peace and of the common welfare of mankind for which the United Nations was established and which its Charter proclaims,

*Considering* the terms of the Universal Declaration of Human Rights adopted by the United Nations General Assembly on 10 December 1948, and in particular Article 27.1 thereof which provides that everyone has the right freely to participate in the cultural life of the community, and to share in scientific advancement and its benefits,

*Recognizing* that:

- (a) scientific discoveries and related technological developments and applications open up vast prospects for progress made possible in particular by the optimum utilization of science and scientific methods for the benefit of mankind and for the preservation of peace and the reduction of international tensions but may, at the same time, entail certain dangers which constitute a threat, especially in cases where the results of scientific research are used against mankind's vital interests in order to prepare wars involving destruction on a massive scale or for purposes of the exploitation of one nation by another, and in any event give rise to complex ethical and legal problems;
- (b) to face this challenge, Member States should develop or devise machinery for the formulation and execution of adequate science and technology policies, that is to say, policies designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such discoveries, technological developments and applications,

*Recognizing* also:

- (a) that a cadre of talented and trained personnel is the cornerstone of an indigenous research and experimental development capability and indispensable for the utilization and exploitation of research carried out elsewhere;
- (b) that open communication of the results, hypotheses and opinions - as suggested by the phrase 'academic freedom' - lies at the very heart of the scientific process, and provides the strongest guarantee of accuracy and objectivity of scientific results;
- (c) the necessity of adequate support and essential equipment for performance of research and experimental development,

*Observing* that, in all parts of the world, this aspect of policy-making is coming to assume increasing importance for the Member States; having in mind the intergovernmental initiatives set out in the annex to this recommendation, demonstrating recognition by Member States of the growing value of science and technology for tackling various world problems on a broad

international basis, thereby strengthening co-operation among nations as well as promoting the development of individual nations; and confident that these trends predispose Member States to the taking of concrete action for the introduction and pursuit of adequate science and technology policies,

*Persuaded* that such government action can considerably assist in the creation of those conditions which encourage and assist indigenous capability to perform research and experimental development in an enhanced spirit of responsibility towards man and his environment,

*Believing* that one of the foremost of these conditions must be to ensure a fair status for those who actually perform research and experimental development in science and technology, taking due account of the responsibilities inherent in and the rights necessary to the performance of that work,

*Considering* that scientific research activity is carried out in exceptional working conditions and demands a highly responsible attitude on the part of the scientific researchers towards that work, towards their country and towards the international ideals and objectives of the United Nations, and that workers in this profession accordingly need an appropriate status,

*Convinced* that the current climate of governmental, scientific and public opinion makes the moment opportune for the General Conference to formulate principles for the assistance of member governments desirous of ensuring fair status for the workers concerned,

*Recalling* that much valuable work in this respect has already been accomplished both in respect of workers generally and in respect of scientific researchers in particular, notably by the international instruments and other texts recalled in this Preamble, and in the annex to this recommendation,

*Conscious* that the phenomenon frequently known as the 'brain drain' of scientific researchers has in the past caused widespread anxiety, and that to certain Member States it continues to be a matter of considerable preoccupation; having present in mind, in this respect, the paramount needs of the developing countries; and desiring accordingly to give scientific researchers stronger reasons for serving in countries and areas which stand most in need of their services,

*Convinced* that similar questions arise in all countries with regard to the status of scientific researchers and that these questions call for the adoption of the common approaches and so far as practicable the application of the common standards and measures which it is the purpose of this recommendation to set out,

*However, taking fully into account*, in the adoption and application of this recommendation, the great diversity of the laws, regulations and customs which, in different countries, determine the pattern and organization of research work and experimental development in science and technology,

*Desiring* for these reasons to complement the standards and recommendations set out in the laws and decrees of every country and sanctioned by its customs and those contained in the international instruments and other documents referred to in this Preamble and in the annex to this recommendation, by provisions relating to questions of central concern to scientific researchers,

*Having* before it, as item 26 of the agenda of the session, proposals concerning the status of scientific researchers,

*Having decided*, at its seventeenth session, that these proposals should take the form of a recommendation to Member States,

*Adopts* this recommendation this twentieth day of November 1974.

*The General Conference* recommends that Member States should apply the following provisions by taking whatever legislative or other steps may be required to apply within their respective territories the principles and norms set forth in this recommendation.

*The General Conference* recommends that Member States should bring this recommendation to the attention of the authorities, institutions and enterprises responsible for the conduct of research and experimental development and the application of its results, and of the various organizations representing or promoting the interests of scientific researchers in association, and other interested parties.

*The General Conference* recommends that Member States should report to it, on dates and in a manner to be determined by it, on the action they have taken to give effect to this recommendation.

## **I. Scope of application**

1. For the purposes of this recommendation:

- (a) (i) The world 'science' signifies the enterprise whereby mankind, acting individually or in small or large groups, makes an organized attempt, by means of the objective study of observed phenomena, to discover and master the chain of causalities; bring together in a co-ordinated form the resultant subsystems of knowledge by means of systematic reflection and conceptualisation, often largely expressed in the symbols of mathematics; and thereby furnishes itself with the oppor-

tunity of using, to its own advantage, understanding of the processes and phenomena occurring in nature and society;

(ii) The expression 'the sciences' signifies a complex of fact and hypothesis, in which the theoretical element is normally capable of being validated, and to that extent includes the sciences concerned with social facts and phenomena;

(b) The word 'technology' signifies such knowledge as relates directly to the production or improvement of goods or services;

(c) (i) The expression 'scientific research' signifies those processes of study, experiment, conceptualization and theory-testing involved in the generation of scientific knowledge, as described in paragraphs 1(a)(i) and 1(a)(ii) above;

(ii) The expression 'experimental development' signifies the processes of adaptation, testing and refinement which lead to the point of practical applicability;

(d) (i) The expression 'scientific researchers' signifies those persons responsible for investigating a specific domain in science or technology;

(ii) On the basis of the provisions of this recommendation, each Member State may determine the criteria for inclusion in the category of persons recognized as scientific researchers (such as possession of diplomas, degrees, academic titles or functions), as well as the exceptions to be allowed for;

(e) The word 'status' as used in relation to scientific researchers signifies the standing or regard accorded them, as evidenced, first, by the level of appreciation both of the duties and responsibilities inherent in their function and of their competence in performing them, and, secondly, by the rights, working conditions, material assistance and moral support which they enjoy for the accomplishment of their task.

2. This recommendation applies to all scientific researchers, irrespective:

(a) the legal status of their employer, or the type of organization or establishment in which they work;

(b) their scientific or technological fields of specialization;

(c) the motivation underlying the scientific research and experimental development in which they engage;

(d) the kind of application to which that scientific research and experimental development relates most immediately.

3. In the case of scientific researchers performing scientific research and experimental development on a part-time basis, this recommendation applies to them only at such times and in such

contexts as they are engaged upon the activity of scientific research and experimental development.

## **II. Scientific researchers in the context of national policy-making**

4. Each Member State should strive to use scientific and technological knowledge for the enhancement of the cultural and material well-being of its citizens, and to further the United Nations ideals and objectives. To attain this objective, each Member State should equip itself with the personnel, institution and mechanisms necessary for developing and putting into practice national science and technology policies aimed at directing scientific research and experimental development efforts to the achievement of national goals while according a sufficient place to science *per se*. By the policies they adopt in respect of science and technology, by the way in which they use science and technology in policy-making generally, and by their treatment of scientific researchers in particular, Member States should demonstrate that science and technology are not activities to be carried on in isolation but part of the nations' integrated effort to set up a society that will be more humane and really just.

5. At all appropriate stages of their national planning generally, and of their planning in science and technology specifically, Member States should:

- (a) treat public funding of scientific research and experimental development as a form of public investment the returns of which are, for the most part, necessarily long term;
- (b) take all appropriate measures to ensure that the justification for, and indeed the indispensability of such expenditure is held constantly before public opinion.

6. Member States should make every effort to translate into terms of international policies and practices, their awareness of the need to apply science and technology in a great variety of specific fields of wider than national concern: namely, such vast and complex problems as the preservation of international peace and the elimination of want and other problems which can only be effectively tackled on an international basis, such as pollution monitoring and control, weather forecasting and earthquake prediction.

7. Member States should cultivate opportunities for scientific researchers to participate in the outlining of national scientific research and experimental development policy. In particular, each Member State should ensure that these processes are supported by

appropriate institutional mechanisms enjoying adequate advice and assistance from scientific researchers and their professional organizations.

8. Each Member State should institute procedures adapted to its needs for ensuring that, in the performance of publicly supported scientific research and experimental development, scientific researchers respect public accountability while at the same time enjoying the degree of autonomy appropriate to their task and to the advancement of science and technology. It should be fully taken into account that creative activities of scientific researchers should be promoted in the national science policy on the basis of utmost respect for the autonomy and freedom of research necessary to scientific progress.

9. With the above ends in view, and with respect for the principle of freedom of movement of scientific researchers, Member States should be concerned to create that general climate, and to provide those specific measures for the moral and material support and encouragement of scientific researchers, as will:

- (a) ensure that young people of high calibre find sufficient attraction in the vocation, and sufficient confidence in scientific research and experimental development as a career offering reasonable prospects and a fair degree of security, to maintain a constantly adequate regeneration of the nation's scientific and technological personnel;
- (b) facilitate the emergence and stimulate the appropriate growth, among its own citizens, of a body of scientific researchers regarding themselves and regarded by their colleagues throughout the world as worthy members of the international scientific and technological community;
- (c) encourage a situation in which the majority of scientific researchers or young people who aspire to become scientific researchers are provided with the necessary incentives to work in the service of their country and to return there if they seek some of their education, training or experience abroad.

### **III. The initial education and training of scientific researchers**

10. Member States should have regard for the fact that effective scientific research calls for scientific researchers of integrity and maturity, combining high moral and intellectual qualities.

11. Among the measures which Member States should take to assist the emergence of scientific researchers of this high calibre are:

- (a) ensuring that, without discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, all citizens enjoy equal opportunities for the initial education and training needed to qualify for scientific research work, as well as ensuring that all citizens who succeed in so qualifying enjoy equal access to available employment in scientific research;
- (b) encouragement of the spirit of community service as an important element in such education and training for scientific workers.

12. So far as it compatible with the necessary and proper independence of educators, Member States should lend their support to all educational initiatives designed to foster that spirit, such as:

- (a) the incorporation or development, in the curricula and courses concerning the natural sciences and technology, of elements of social and environmental sciences;
- (b) the development and use of educational techniques for awakening and stimulating such personal qualities and habits of mind as:
  - (i) disinterestedness and intellectual integrity;
  - (ii) the ability to review a problem or situation in perspective and in proportion, with all its human implications;
  - (iii) skill in isolating the civic and ethical implications, in issues involving the search for new knowledge and which may at first sight seem to be of a technical nature only;
  - (iv) vigilance as to the probable and possible social and ecological consequences of scientific research and experimental development activities;
  - (v) willingness to communicate with others not only in scientific and technological circles but also outside those circles, which implies willingness to work in a team and in a multi-occupational context.

#### **IV. The vocation of the scientific researcher**

13. Member States should bear in mind that the scientific researcher's sense of vocation can be powerfully reinforced if he is encouraged to think of his work in terms of service both to his fellow countrymen and to his fellow human beings in general. Member States should seek, in their treatment of and attitude towards scientific researchers, to express encouragement for scientific research and experimental development performed in this broad spirit of community service.



*The civic and ethical aspect of scientific research*

14. Member States should seek to encourage conditions in which scientific researchers, with the support of the public authorities, have the responsibility and the right:

- (a) to work in a spirit of intellectual freedom to pursue, expound and defend the scientific truth as they see it;
- (b) to contribute to the definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be humanely, socially and ecologically responsible;
- (c) to express themselves freely on the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates;
- (d) to contribute positively and constructively to the fabric of science, culture and education in their own country, as well as to the achievement of national goals, the enhancement of their fellow citizen's well-being, and the furtherance of the international ideals and objectives of the United Nation;

it being understood that Member States, when acting as employers of scientific researchers, should specify as explicitly and narrowly as possible the cases in which they deem it necessary to depart from the principles set out in paragraphs (a) to (d) above.

15. Member States should take all appropriate steps to urge all other employers of scientific researchers to follow the recommendations contained in paragraph 14.

*The international aspect of scientific research*

16. Member States should recognize that scientific researchers encounter, with increasing frequency, situations in which the scientific research and experimental development on which they are engaged has an international dimension; and should endeavour to assist scientific researchers to exploit such situations in the furtherance of international peace, co-operation and understanding, and the common welfare of mankind.

17. Member States should in particular provide all possible support to the initiatives of scientific researchers undertaken in search of improved understanding of factors involved in the survival and well-being of mankind as a whole.

18. Each Member State should enlist the knowledge, industry and idealism of those of its citizens who are scientific researchers,

especially of the younger generation, in the task of furnishing as generous a contribution as its resources can permit to the world's scientific and technological research effort. Member States should welcome all the advice and assistance scientific researchers can provide, in socio-economic development efforts that will contribute to the consolidation of an authentic culture and of national sovereignty.

19. In order that the full potentialities of scientific and technological knowledge be promptly geared to the benefit of all peoples, Member States should urge scientific researchers to keep in mind the principles set out in paragraphs 16, 17 and 18.

#### **V. Conditions for success on the part of scientific researchers**

20. Member States should:

- (a) bear in mind that the public interest, as well as that of scientific researchers, requires moral support and material assistance conducive to successful performance in scientific research and experimental development by scientific researchers;
- (b) recognize that in this respect they have, as employers of scientific researchers, a leading responsibility and should attempt to set an example to other employers of such researchers;
- (c) urge all other employers of scientific researchers to pay close attention to the provision of satisfactory working conditions for scientific researchers, notably in respect of all the provisions of the present section;
- (d) ensure that scientific researchers enjoy conditions of work and pay commensurate with their status and performance without discrimination on the basis of sex, language, age, religion or national origin.

#### *Adequate career development prospects and facilities*

21. Member States should draw up, preferably within the framework of a comprehensive national manpower policy, policies in respect of employment which adequately cover the needs of scientific researchers, in particular by:

- (a) providing scientific researchers in their direct employment with adequate career development prospects and facilities though not necessarily exclusively in the fields of scientific research and experimental development; and encouraging non-governmental employers to do likewise;

- (b) making every effort to plan scientific research and experimental development in such a way that the scientific researchers concerned are not subjected, merely by the nature of their work, to avoidable hardship;
- (c) considering the provision of the necessary funds for facilities for readaptation and redeployment in respect of the scientific researchers in their permanent employ, as an integral part of scientific research and experimental development planning, especially, but not exclusively, in the case of programmes or projects designed as limited duration activities; and where these facilities are not possible, by providing appropriate compensatory arrangements;
- (d) offering challenging opportunities for young scientific researchers to do significant scientific research and experimental development, in accordance with their abilities.

*Permanent self re-education*

22. Member States should seek to encourage that:
- (a) like other categories of workers facing similar problems, scientific researchers enjoy opportunities for keeping themselves up to date in their own and in related subjects, by attendance at conferences, by free access to libraries and other sources of information, and by participation in educational or vocational courses; and where necessary, scientific researchers should have the opportunity to undergo further scientific training with a view to transferring to another branch of scientific activity;
  - (b) appropriate facilities are provided for this purpose.

*Mobility in general and the civil service in particular*

23. Member States should take measures to encourage and facilitate, as part of comprehensive national policy for highly qualified manpower, the interchange or mobility of scientific researchers as between scientific research and experimental development service in the government and in the higher education and productive enterprise contexts.

24. Member States should also bear in mind that the machinery of government at all levels can benefit from the special skills and insights provided by scientific researchers. All Member States could therefore profitably benefit from a careful comparative examination of the experience gained in those Member States which have introduced salary scales and other conditions of employment specially designed for scientific researchers, with a

view to determining to what extent such schemes would help meet their own national needs. Matters which appear to require particular attention in this respect are:

- (a) optimum utilization of scientific researchers within the framework of a comprehensive national policy for highly qualified manpower;
- (b) the desirability of providing procedures with all the necessary guarantees allowing for the periodic review of the material conditions of scientific researchers to ensure that they remain equitably comparable with those of other workers having equivalent experience and qualifications and in keeping with the country's standard of living;
- (c) the possibility of providing adequate career development prospects in public research bodies; as well as the need to give scientifically or technologically qualified researchers the option of transferring from scientific research and experimental development positions to administrative positions.

25. Member States should furthermore turn to advantage the fact that science and technology can be stimulated by close contact with other spheres of national activity, and vice versa. Member States should accordingly take care not to discourage scientific researchers whose predilections and talents, initially cultivated in the scientific research and experimental development context proper, lead them to progress into cognate activities. Member States should on the contrary be vigilant to encourage those scientific researchers, whose original scientific research and experimental development training and subsequently acquired experience reveal potentialities lying in such fields as management of scientific research and experimental development or the broader field of science and technology policies as a whole, to develop to the full their talents in these directions.

*Participation in international scientific and technological gatherings*

26. Member States should actively promote the interplay of ideas and information among scientific researchers throughout the world, which is vital to the healthy development of science and technology: and to this end should take all measures necessary to ensure that scientific researchers are enabled, throughout their careers, to participate in international scientific and technological gatherings and to travel abroad.

27. Member States should furthermore see to it that all governmental or quasi-governmental organizations in which or under

whose authority scientific research and experimental development are performed, regularly devote a portion of their budget to financing the participation at such international scientific and technological gatherings; of scientific researchers in their employ.

*Access by scientific researchers to positions of greater responsibility with corresponding rewards*

28. Member States should encourage in practice that decisions as to access by scientific researchers in their employ to positions of greater responsibility and correspondingly higher rewards, are formulated essentially on the basis of fair and realistic appraisal of the capacities of the persons concerned, as evidenced by their current or recent performances, as well as on the basis of formal or academic evidence of knowledge acquire or skills demonstrated by them.

*Protection of health; social security*

29. (a) Member States should accept that, as employers of scientific researchers, the onus is on them - in accordance with national regulations, and the international instruments concerned with the protection of workers in general from hostile or dangerous environments - to guarantee so far as is reasonable possible the health and safety of the scientific researchers in their employ, as of all other persons likely to be affected by the scientific research and experimental development in question. They should accordingly ensure that the managements of scientific establishments enforce appropriate safety standards; train all those in their employ in the necessary safety procedures; monitor and safeguard the health of all persons at risk; take due note of warnings of new (or possible new) hazards brought to their attention, in particular by the scientific researchers themselves, and act accordingly; ensure that the working day and rest periods are of reasonable length, the latter to include annual leave on full pay.
- (b) Member States should take all appropriate steps to urge like practices on all other employers of scientific researchers.

30. Member States should ensure that provision is made for scientific researchers to enjoy (in common with all other workers) adequate and equitable social security arrangements appropriate to their age, sex, family situation, state of health and to the nature of the work they perform.

## *Promotion, appraisal, expression and recognition of creativity*

### *Promotion*

31. Member States should be actively concerned to stimulate creative performance in the field of science and technology by all scientific researchers.

### *Appraisal*

32. Member States should, as regards scientific researchers in their employ:

- (a) take due account, in all procedures for appraisal of the creativity of scientific researchers, of the difficulty inherent in measuring a personal capacity which seldom manifests itself in a constant and unfluctuating form;
- (b) enable, and as appropriate encourage scientific researchers in whom it appears this capacity might be profitably stimulated:
  - (i) either to turn to a new field of science or technology;
  - (ii) or else to progress from scientific research and experimental development to other occupations in which the experience they have acquired and the other personal qualities of which they have given proof can be put to better use in a new context.

33. Member States should urge like practices upon other employers of scientific researchers.

34. As elements pertinent to appraisal of creativity, Member States should seek to ensure that scientific researchers may:

- (a) receive without hindrance the questions, criticisms and suggestions addressed to them by their colleagues throughout the world, as well as the intellectual stimulus afforded by such communications and the exchanges to which they give rise;
- (b) enjoy in tranquillity international acclaim warranted by their scientific merit.

### *Expression by publication*

35. Member States should encourage and facilitate publication of the results obtained by scientific researchers, with a view to assisting them to acquire the reputation which they merit as well as with a view to promoting the advancement of science and technology, education and cultural generally.

36. To this end, Member States should ensure that the scientific and technological writings of scientific researchers enjoy appropri-

ate legal protection, and in particular the protection afforded by copyright law.

37. Member States should, in consultation with scientific researchers' organizations and as a matter of standard practice encourage the employers of scientific researchers, and themselves as employers seek:

- (a) to regard it as the norm that scientific researchers be at liberty and encouraged to publish the results of their work;
- (b) to minimize the restrictions placed upon scientific researchers' right to publish their findings, consistent with public interest and the right of their employers and fellow workers;
- (c) to express as clearly as possible in writing in the terms and conditions of their employment the circumstances in which such restrictions are likely to apply;
- (d) similarly, to make clear the procedures by which scientific researchers can ascertain whether the restrictions mentioned in this paragraph apply in a particular case and by which he can appeal.

#### *Recognition*

38. Member States should demonstrate that they attach high importance to the scientific researcher's receiving appropriate moral support and material compensation for the creative effort which is shown in his work.

39. Accordingly, Member States should:

- (a) bear in mind that:
  - (i) the degree to which scientific researchers receive credit for and acknowledgement of their proven creativity, may affect their level of perceived job satisfaction;
  - (ii) job satisfaction is likely to affect performance in scientific research generally, and may affect specifically the creative element in that performance;
- (b) adopt, and urge the adoption of, appropriate treatment of scientific researchers with respect to their proven creative effort.

40. Similarly, Member States should adopt, and urge the adoption of, the following standard practices:

- (a) written provisions to be included in the terms and conditions of employment of scientific researchers, stating clearly what rights (if any) belong to them (and, where appropriate, other interested parties) in respect of any discovery, invention, or improvement in technical know-how which may arise in the

- course of the scientific research and experimental development which those researchers undertake;
- (b) the attention of scientific researchers to be always drawn by the employer to such written provisions before the scientific researchers enter employment.

*Reasonable flexibility in the interpretation and application of texts setting out the terms and conditions of employment of scientific researchers*

41. Member States should seek to ensure that the performance of scientific research and experimental development be not reduced to pure routine. They should therefore see to it that all texts setting out terms of employment for, or governing the conditions of work of scientific researchers, be framed and interpreted with all the desirable flexibility to meet the requirements of science and technology. This flexibility should not however be invoked in order to impose on scientific researchers conditions that are inferior to those enjoyed by other workers of equivalent qualifications and responsibility.

*The advancement of their various interests by scientific researchers in association*

42. Member States should recognize it as wholly legitimate, and indeed desirable, that scientific researchers should associate to protect and promote their individual and collective interests, in bodies such as trade unions, professional associations and learned societies, in accordance with the rights of workers in general and inspired by the principles set out in the international instruments listed in the annex to this recommendation. In all cases where it is necessary to protect the rights of scientific researchers, these organizations should have the right to support the justified claims of such researchers.

## **VI. Utilization and exploitation of the present recommendation**

43. Member States should strive to extend and complement their own action in respect of the status of scientific researchers, by co-operating with all national and international organizations whose activities fall within the scope and objectives of this recommendation, in particular National Commissions for UNESCO; international organizations; organizations representing science and technology educators; employers generally; learned societies, professional associations and trade unions of scientific researchers; associations of science writers; youth organizations.



44. Member States should support the work of the bodies mentioned above by the most appropriate means.

45. Member States should enlist the vigilant and active co-operation of all organizations representing scientific researchers, in ensuring that the latter may, in a spirit of community service, effectively assume the responsibilities, enjoy the rights and obtain the recognition of the status described in this recommendation.

## **VII. Final provision**

46. Where scientific researchers enjoy a status which is, in certain respects, more favourable than that provided for in this recommendation, its terms should not be invoked to diminish the status already acquired.

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## **ANNEX: INTERNATIONAL INSTRUMENTS AND OTHER TEXTS CONCERNING WORKERS IN GENERAL OR SCIENTIFIC RESEARCHERS IN PARTICULAR**

### *A. International conventions adopted by the International Conference of the International Labour Organisation:*

Freedom of Association and Protection of the Right to Organize Convention, 1948;  
Right to Organize and Collective Bargaining Convention, 1949;  
Equal Remuneration Convention, 1951;  
Social Security (Minimum Standards) Convention, 1952;  
Discrimination (Employment and Occupation) Convention, 1958;  
Radiation Protection Convention, 1960;  
Employment Injury Benefits Convention, 1964;  
Invalidity, Old-Age and Survivors' Benefits Convention, 1967;  
Medical Care and Sickness Benefits Convention, 1969;  
Benzene Convention, 1971.

### *B. Recommendations adopted by the International Conference of the International Labour Organisation:*

Collective Agreements Recommendation, 1951;

Voluntary Conciliation and Arbitration Recommendation, 1951;  
Radiation Protection Recommendation, 1960;  
Consultation (Industrial and National Levels) Recommendation,  
1960;  
Employment Injury Benefits Recommendation, 1964;  
Invalidity, Old-Age and Survivors' Benefits Recommendation,  
1967;  
Communication within the Undertaking Recommendation, 1967;  
Examination of Grievances Recommendation, 1967;  
Medical Care and Sickness Benefits Recommendation, 1969;  
Workers' Representatives Recommendation, 1971;  
Benzene Recommendation, 1971.

*C. Other intergovernmental initiatives*

Resolution No. 1826 adopted by the United Nations Economic and Social Council on 10 August 1973 at its fifty-fifth session, on the 'Role of modern science and technology in the development of nations and the need to strengthen economic, technical and scientific co-operation among States';

World Plan of Action for the Application of Science and Technology to Development, drawn up under the auspices of the same Council;

Declaration of the United Nations Conference on the Human Environment, proclaimed at Stockholm in June 1972.

*D. Prepared by the World Intellectual Property Organization (WIPO)*

Model Law for Developing Countries on Inventions, 1965.

*E. Prepared by the International Council of Scientific Unions (ICSU)*

Texts entitled:

- I. Statement on the Fundamental Character of Science
  - II. Charter for Scientists
  - III. On the Dangers Arising from Unbalanced Applications of the Powers Given by Science
- prepared by ICSU's Committee on Science and its Social Relations (CSSR) and transmitted to all members of ICSU at the request of ICSU's General Assembly (5th session, 1949).

Resolution on 'Free Circulation of Scientists' adopted by the 14th session of the ICSU General Assembly, Helsinki, 16-21 September 1972.

*F. Prepared by the World Federation of Scientific Workers (WFSW)*

Charter for Scientific Workers adopted by the WFSW General Assembly, February 1948.

Declaration on the rRights of Scientific Workers adopted by the WFSW General Assembly, April 1969.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its eighteenth session, which was held in Paris and declared closed on the twenty-third day of November 1974.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of November 1974.

*The President of the General  
Conference*

*The Director-General*

# RECOMMENDATION ON THE LEGAL PROTECTION OF TRANSLATORS AND TRANSLATIONS AND THE PRACTICAL MEANS TO IMPROVE THE STATUS OF TRANSLATORS, 1976<sup>1</sup>

## Introduction

*The translation of works fulfils an increasingly important role today.*

*International copyright conventions have adopted the principle that a translator who translates a work with the consent of its author enjoys the same rights over his translation as does the author over the original work.*

*In practice, however, this recognition of the rights of the translators is not always effective.*

*Accordingly, and in order to strengthen the practical defence of the interests of translators in respect of their translations, the General Conference of UNESCO adopted this Recommendation.*

*The main purpose of this Recommendation is to provide a non-limitative list of measures to ensure the application in practice of protection afforded translators under international conventions and in national laws relating to copyright.*

*These measures, which are legal, economic and social in character, concern the rights and obligations both of translators in regard to the user of their works and of the States of which they are nationals.*

*These measures relate more particularly to the contracts governing relations between a translator and a user and other legal instruments governing such relations, the representation of translators, the establishment, development and activities of translators' organizations, the social and fiscal situation of translators, and their training and their working conditions.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

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<sup>1</sup> Adopted on 22 November 1976 by the General Conference of Unesco at its nineteenth session, held in Nairobi.

*Considering* that translation promotes understanding between peoples and co-operation among nations by facilitating the dissemination of literary and scientific works, including technical works, across linguistic frontiers and the interchange of ideas,  
*Noting* the extremely important role played by translators and translations in international exchanges in culture, art and science, particularly in the case of works written or translated in less widely spoken languages,  
*Recognizing* that the protection of translators is indispensable in order to ensure translations of the quality needed for them to fulfil effectively their role in the service of culture and development,  
*Recalling* that, if the principles of this protection are already contained in the Universal Copyright Convention, while the Berne Convention for the Protection of Literary and Artistic Works and a number of national laws of Member States also contain specific provisions concerning such protection, the practical application of these principles and provisions is not always adequate,  
*Being of the opinion* that if, in many countries with respect to copyright, translators and translations enjoy a protection which resembles the protection granted to authors and to literary and scientific works, including technical works, the adoption of measures of an essentially practical nature, assimilating translators to authors and specific to the translating profession, is nevertheless justified to ameliorate the effective application of existing laws,  
*Having decided*, at its eighteenth session, that the protection of translators should be the subject of a recommendation to Member States within the meaning of Article IV, paragraph 4, of the Constitution,  
*Adopts*, this twenty-second day of November 1976, the present Recommendation.

*The General Conference* recommends that Member States apply the following provisions concerning the protection of translators and translations by taking whatever legislative or other steps may be required, in conformity with the constitutional provisions and institutional practice of each State, to give effect within their respective territories, to the principles and standards set forth in this Recommendation.

*The General Conference* recommends that Member States bring this Recommendation to the attention of the authorities, departments or bodies responsible for matters relating to the moral and material interests of translators and to the protection of translations,

of the various organizations or associations representing or promoting the interests of translators, and of publishers, managers of theatres, broadcasters and other users and interested parties.

*The General Conference* recommends that Member States submit to the Organization, at such times and in such form as shall be determined by the General Conference, reports on the action taken by them to give effect to this Recommendation.

### **I. Definitions and scope of application**

1. For purposes of this Recommendation:
  - (a) the term 'translation' denotes the transposition of a literary or scientific work, including technical work, from one language into another language, whether or not the initial work, or the translation, is intended for publication in book, magazine, periodical, or other form, or for performance in the theatre, in a film, on radio or television, or in any other media;
  - (b) the term 'translators' denotes translators of literary or scientific works including technical works;
  - (c) the term 'users' denotes the persons or legal entities for which a translation is made.
2. This Recommendation applies to all translators regardless of:
  - (a) the legal status applicable to them as:
    - (i) independent translators; or
    - (ii) salaried translators;
  - (b) the discipline to which the work translated belongs;
  - (c) the full-time or part-time nature of their position as translators.

### **II. General legal position of translators**

3. Member States should accord to translators, in respect of their translations, the protection accorded to authors under the provisions of the international copyright conventions to which they are party and/or under their national laws, but without prejudice to the rights of the authors of the original works translated.

### **III. Measures to ensure the application in practice of protection afforded translators under international conventions and in national laws relating to copyright**

4. It is desirable that a written agreement be concluded between a translator and the user.

5. As a general rule, a contract governing relations between a translator and a user, as well as where appropriate any other legal instrument governing such relations, should:

- (a) accord an equitable remuneration to the translator whatever his or her legal status;
- (b) at least when the translator is not working as a salaried translator, remunerate him or her in proportion to the proceeds of the sale or use of the translation with payment of an advance, the said advance being retained by the translator whatever the proceeds may be; or by the payment of a sum calculated in conformity with another system of remuneration independent of sales where it is provided for or permitted by national legislation; or by the payment of an equitable lump sum which could be made where payment on a proportional basis proves insufficient or inapplicable; the appropriate method of payment should be chosen taking into account the legal system of the country concerned and where applicable the type of original work translated;
- (c) make provision, when appropriate, for a supplementary payment should the use made of the translation go beyond the limitations specified in the contract;
- (d) specify that the authorizations granted by the translator are limited to the rights expressly mentioned, this provision applying to possible new editions;
- (e) stipulate that in the event that the translator has not obtained any necessary authorization, it is the user who is responsible for obtaining such authorization;
- (f) stipulate that the translator guarantees the user uncontested enjoyment of all the rights granted and undertakes to refrain from any action likely to compromise the legitimate interests of the user and, when appropriate, to observe the rule of professional secrecy;
- (g) stipulate that, subject to the prerogatives of the author of the original work translated, no change shall be made in the text of a translation intended for publication without seeking the prior agreement of the translator;
- (h) assure the translator and his translation similar publicity, proportionately to that which authors are generally given, in particular, the name of the author of the translation should appear in a prominent place on all published copies of the translation, on theatre bills, in announcements made in connexion with radio or television broadcasts, in the credit titles of films and in any other promotional material;
- (i) provide that the user ensure that the translation bear such notices as are necessary to comply with copyright formalities

in those countries where it might reasonably be expected to be used;

- (j) provide for the resolution of any conflicts which may arise, particularly with respect to the quality of the translation, so far as possible, by means of arbitration or in accordance with procedures laid down by national legislation or by any other appropriate means of dispute settlement which on the one hand is such as to guarantee impartiality and on the other hand is easily accessible and inexpensive;
- (k) mention the languages from and into which the translator will translate and without prejudice to the provisions of paragraph 1(a), further specify expressly the translator's possible use as an interpreter.

6. In order to facilitate the implementation of the measures recommended in paragraphs 4, 5 and 14, Member States should, without prejudice to the translator's freedom to enter into an individual contract, encourage the parties concerned, in particular the professional organizations of translators and other organizations or associations representing them, on the one hand, and the representatives of users, on the other, to adopt model contracts or to conclude collective agreements based on the measures suggested in this Recommendation and making due allowance for all situations likely to arise by reason either of the translator or the nature of the translation.

7. Member States should also promote measures to ensure effective representation of translators and to encourage the creation and development of professional organizations of translators and other organizations or associations representing them, to define the rules and duties which should govern the exercise of the profession, to defend the moral and material interests of translators and to facilitate linguistic, cultural, scientific and technical exchanges among translators and between translators and the authors of works to be translated. To this end, such organizations or associations might undertake, where national law permits, in particular, the following specific activities:

- (a) promote the adoption of standards governing the translating profession; such standards should stipulate in particular that the translator has a duty to provide a translation of high quality from both the linguistic and stylistic points of view and to guarantee that the translation will be a faithful rendering of the original;
- (b) study the bases for remuneration acceptable to translators and users;



- (c) set up procedures to assist in the settlement of disputes arising in connexion with the quality of translations;
- (d) advise translators in their negotiations with, users and co-operate with other interested parties in establishing model contracts relating to translation;
- (e) endeavour to arrange for translators individually or collectively, and in accordance with national laws or any collective agreements which may be applicable on this subject, to benefit with authors from funds received from either private or public sources;
- (f) provide for exchanges of information on matters of interest to translators by the publication of information bulletins, the organization of meetings or by other appropriate means;
- (g) promote the assimilation of translators, from the point of view of social benefits and taxation, to authors of literary or scientific works, including technical works;
- (h) promote the establishment and development of specialized programmes for the training of translators;
- (i) co-operate with other national, regional or international bodies working to promote the interests of translators, and with any national or regional copyright information centres set up to assist in the clearance of rights in works protected by copyright, as well as with the UNESCO International Copyright Information Centre;
- (j) maintain close contacts with users, as well as with their representatives or professional organizations or associations, in order to defend the interests of translators; and negotiate collective agreements with such representatives or organizations or associations where deemed advantageous;
- (k) contribute generally to the development of the translating profession.

8. Without prejudice to paragraph 7, membership of professional organizations or associations which represent translators should not, however, be a necessary condition for protection, since the provisions of this Recommendation should apply to all translators, whether or not they are members of such organizations or associations.

#### **IV. Social and fiscal situation of translators**

9. Translators working as independent writers, whether or not they are paid by royalties, should benefit in practice from any social insurance schemes relating to retirement, illness, family allowances, etc., and from any taxation arrangements, generally applica-

ble to the authors of literary or scientific works, including technical works.

10. Salaried translators should be treated on the same basis as other salaried professional staff and benefit accordingly from the social schemes provided for them. In this respect, professional statutes, collective agreements and contracts of employment based thereon should mention expressly the class of translators of scientific and technical texts, so that their status as translators may be recognized, particularly with respect to their professional classification.

## **V. Training and working conditions of translators**

11. Member States should recognize in principle that translation is an independent discipline requiring an education distinct from exclusively language teaching and that this discipline requires special training. Member States should encourage the establishment of writing programmes for translators, especially in connexion with translators' professional organizations or associations, universities or other educational institutions, and the organization of seminars or workshops. It should also be recognized that it is useful for translators to be able to benefit from continuing education courses.

12. Member States should consider organizing terminology centres which might be encouraged to undertake the following activities:

- (a) communicating to translators current information concerning terminology required by them in the general course of their work;
- (b) collaborating closely with terminology centres throughout the world with a view to standardizing and developing the internationalization of scientific and technical terminology so as to facilitate the task of translators.

13. In association with professional organizations or associations and other interested parties, Member States should facilitate exchanges of translators between different countries, so as to allow them to improve their knowledge of the language from which they work and of the socio-cultural context in which the works to be translated by them are written.

14. With a view to improving the quality of translations, the following principles and practical measures should be expressly recognized in professional statutes mentioned under sub-paragraph 7(a) and in any other written agreements between the translators and the users:

- (a) translators should be given a reasonable period of time to accomplish their work;
- (b) any documents and information necessary for the understanding of the text to be translated and the drafting of the translation should, so far as possible, be made available to translators;
- (c) as a general rule, a translation should be made from the original work, recourse being had to retranslation only where absolutely necessary;
- (d) a translator should, as far as possible, translate into his own mother tongue or into a language of which he or she has a mastery equal to that of his or her mother tongue.

## **VI. Developing countries**

15. The principles and norms set forth in this Recommendation may be adapted by developing countries in any way deemed necessary to help them meet their requirements, and in the light of the special provisions for the benefit of developing countries introduced in the Universal Copyright Convention as revised at Paris on 24 July 1971 and the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works.

## **VII. Final provision**

16. Where translators and translations enjoy a level of protection which is, in certain respects, more favourable than that provided for in this Recommendation, its provisions should not be invoked to diminish the protection already acquired.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

*The President of the General  
Conference*

*The Director-General*

# RECOMMENDATION ON THE DEVELOPMENT OF ADULT EDUCATION, 1976<sup>1</sup>

## Introduction

*Believing that the 'right of individuals and nations to education ... is to be considered' on the same basis as their other fundamental rights' and recalling that 'countries, regardless of the level of development which they have reached, cannot hope to attain the development objectives which they have set themselves ... if it with the necessary human and material resources', the third International Conference on Adult Education, meeting in Tokyo from 25 July to 7 August 1972, recommended that UNESCO 'explore the possibility of preparing, as soon as possible ... a recommendation to Member States concerning the development of adult education'.*

*This Recommendation, adopted in 1976, is the first international standard-setting instrument on the subject. It is general in scope and is relevant to lifelong education. Its adoption aroused definite interest. Twenty-two Member States have sent the Organization reports on action taken by them to implement the Recommendation. During the two years following its adoption, the text of the Recommendation was translated into seven languages other than the official languages of UNESCO.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

*Recalling* the principles set forth in Articles 26 and 27 of the Universal Declaration of Human Rights, guaranteeing and specifying the right of everyone to education and to participate freely in cultural, artistic and scientific life and the principles set forth in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights,

*Considering* that education is inseparable from democracy, the abolition of privilege and the promotion within society as a whole of the ideas of autonomy, responsibility and dialogue,

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<sup>1</sup> Adopted on 26 November 1976 by the General Conference of UNESCO at its nineteenth session held in Nairobi.

- Considering* that the access of adults to education, in the context of life-long education, is a fundamental aspect of the right to education and facilitates the exercise of the right to participate in political, cultural, artistic and scientific life,
- Considering* that for the full development of the human personality, particularly in view of the rapid pace of scientific, technical, economic and social change, education must be considered on a global basis and as a life-long process,
- Considering* that the development of adult education, in the context of lifelong education, is necessary as a means of achieving a more rational and more equitable distribution of educational resources between young people and adults, and between different social groups, and of ensuring better understanding and more effective collaboration between the generations and greater political, social and economic equality between social groups and between the sexes,
- Convinced* that adult education as an integral part of life-long education can contribute decisively to economic and cultural development, social progress and world peace as well as to the development of educational systems,
- Considering* that the experience acquired in adult education must constantly contribute to the renewal of educational methods, as well as to the reform of educational systems as a whole,
- Considering* the universal concern for literacy as being a crucial factor in political and economic development, in technological progress and in social and cultural change, so that its promotion should therefore form an integral part of any plan for adult education,
- Reaffirming* that the attainment of this objective entails creating situations in which the adults are able to choose, from among a variety of forms of educational activity the objectives and content of which have been defined with their collaboration, those forms which meet their needs most closely and are most directly related to their interests,
- Bearing in mind* the diversity of modes of training and education throughout the world and the special problems peculiar to the countries whose education systems are as yet underdeveloped or insufficiently adapted to national needs,
- In order to give* effect to the conclusions, declarations and recommendations formulated by the second and third international conferences on adult education (Montreal, 1960; Tokyo, 1972) and, as far as the relevant paragraphs are concerned, by the World Conference of the International Women's Year (Mexico, 1975),
- Desirous* of making a further contribution to putting into effect the principles set forth in the recommendations addressed by the

International Conference on Public Education to the Ministries of Education concerning the access of women to education (Recommendation No. 34, 1952), facilities for education in rural areas (Recommendation No. 47, 1958), and literacy and adult education (Recommendation No. 58, 1965), in the Declaration adopted at the International Symposium for Literacy in Persepolis (1975) and in the Recommendation concerning Education for International Understanding, Co-operation and Peace, and Education relating to Human Rights and Fundamental Freedoms adopted by the General Conference at its eighteenth session (1974);

*Taking note* of the provisions of the Revised Recommendation concerning Technical and Vocational Education adopted by the General Conference at its eighteenth session (1974) and of resolution 3.426 adopted at the same session with a view to the adoption of an international instrument concerning action designed to ensure that the people at large have free democratic access to culture and an opportunity to take an active part in the cultural life of society,

*Noting further* that the International Labour Conference has adopted a number of instruments concerned with various aspects of adult education, and in particular the recommendation on vocational guidance (1949), the recommendation on vocational training in agriculture (1956), as well as the convention and recommendation concerning paid educational leave (1974), and of human resources development (1975),

*Having decided*, at its eighteenth session, that adult education would be the subject of a recommendation to Member States,

*Adopts* this twenty-sixth day of November 1976, the present Recommendation.

*The General Conference* recommends that Member States apply the following provisions by taking whatever legislative or other steps may be required, and in conformity with the constitutional practice of each State, to give effect to the principles set forth in this Recommendation.

*The General Conference* recommends that Member States bring this Recommendation to the attention of the authorities, departments or bodies responsible for adult education and also of the various organizations carrying out educational work for the benefit of adults, and of trade union organizations, associations, enterprises, and other interested parties.

*The General Conference* recommends that Member States report to it, at such dates and in such form as shall be determined by it, on the action taken by them in pursuance of this Recommendation.

## **I. Definition**

1. In this Recommendation:

the term 'adult education' denotes the entire body of organized educational processes, whatever the content, level and method, whether formal or otherwise, whether they prolong or replace initial education in schools, colleges and universities as well as in apprenticeship, whereby persons regarded as adult by the society to which they belong develop their abilities, enrich their knowledge, improve their technical or professional qualifications or turn them in a new direction and bring about changes in their attitudes or behaviour in the twofold perspective of full personal development and participation in balanced and independent social, economic and cultural development;

adult education, however, must not be considered as an entity in itself, it is a subdivision, and an integral part of, a global scheme for life-long education and learning;

the term 'life-long education and learning', for its part, denotes an overall scheme aimed both at restructuring the existing education system and at developing the entire educational potential outside the education system;

in such a scheme men and women are the agents of their own education, through continual interaction between their thoughts and actions;

education and learning, far from being limited to the period of attendance at school, should extend throughout life, include all skills and branches of knowledge, use all possible means, and give the opportunity to all people for full development of the personality;

the educational and learning processes in which children, young people and adults of all ages are involved in the course of their lives, in whatever form, should be considered as a whole.

## **II. Objectives and strategy**

2. Generally speaking, the aims of adult education should be to contribute to:

- (a) promoting work for peace, international understanding and co-operation;
- (b) developing a critical understanding of major contemporary problems and social changes and the ability to play an active part in the progress of society with a view to achieving social justice;
- (c) promoting increased awareness of the relationship between people and their physical and cultural environment, and foster-

- ing the desire to improve the environment and to respect and protect nature, the common heritage and public property;
- (d) creating an understanding of and respect for the diversity of customs and cultures, on both the national and the international planes;
  - (e) promoting increased awareness of, and giving effect to various forms of communication and solidarity at the family, local, national, regional and international levels;
  - (f) developing the aptitude for acquiring, either individually, in groups or in the context of organized study in educational establishments specially set up for this purpose, new knowledge, qualifications, attitudes or forms of behaviour conducive to the full maturity of the personality;
  - (g) ensuring the individuals' conscious and effective incorporation into working life by providing men and women with an advanced technical and vocational education and developing the ability to create, either individually or in groups, new material goods and new spiritual or aesthetic values;
  - (h) developing the ability to grasp adequately the problems involved in the upbringing of children;
  - (i) developing the aptitude for making creative use of leisure and for acquiring any necessary or desired knowledge;
  - (j) developing the necessary discernment in using mass communication media, in particular radio, television, cinema and the press, and interpreting the various messages addressed to modern men and women by society;
  - (k) developing the aptitude for learning to learn.
3. Adult education should be based on the following principles:
- (a) it should be based on the needs of the participants and make use of their different experiences in the development of adult education; the most educationally underprivileged groups should be given the highest priority within a perspective of collective advancement;
  - (b) it should rely on the ability and determination of all human beings to make progress throughout their lives both at the level of their personal development and in relation to their social activity;
  - (c) it should awaken an interest in reading and develop cultural aspirations;
  - (d) it should stimulate and sustain the interest of adult learners, appeal to their experience, strengthen their self-reliance, and enlist their active participation at all stages of the educational process in which they are involved;
  - (e) it should be adapted to the actual conditions of everyday life and work and take into account the personal characteristics of



- adult learners, their age, family, social, occupational or residential background and the way in which these interrelate;
- (f) it should seek the participation of individual adults, groups and communities in decision-making at all levels of the learning process; including determination of needs, curriculum development, programme implementation and evaluation and should plan educational activities with a view to the transformation of the working environment and of the life of adults;
  - (g) it should be organized and operated flexibly by taking into account social, cultural, economic and institutional factors of each country and society to which adult learners belong;
  - (h) it should contribute to the economic and social development of the entire community;
  - (i) it should recognize as an integral part of the educational process the forms of collective organization established by adults with a view to solving their day-to-day problems;
  - (j) it should recognize that every adult, by virtue of his or her experience of life, is the vehicle of a culture which enables him or her to play the role of both learner and teacher in the educational process in which he or she participates.
4. Each Member State should:
- (a) recognize adult education as a necessary and specific component of its education system and as a permanent element in its social, cultural and economic development policy; it should, consequently, promote the creation of structures, the preparation and implementation of programmes and the application of educational methods which meet the needs and aspirations of all categories of adults, without restriction on grounds of sex, race, geographical origin, age, social status, opinion, belief or prior educational standard;
  - (b) recognize that although, in a given situation or for a specific period, adult education may play a compensatory role, it is not intended as a substitute for adequate youth education which is a prerequisite for the full success of adult education;
  - (c) in eliminating the isolation of women from adult education, work towards ensuring equality of access and full participation in the entire range of adult education activities, including those which provide training for qualifications leading to activities or responsibilities which have hitherto been reserved for men;
  - (d) take measures with a view to promoting participation in adult education and community development programmes by members of the most underprivileged groups, whether rural or urban, settled or nomadic, and in particular illiterates, young people who have been unable to acquire an adequate standard of general education or a qualification, migrant workers and

refugees, unemployed workers, members of ethnic minorities, persons suffering from a physical or mental handicap, persons experiencing difficulties of social adjustment and those serving prison sentences. In this context, Member States should associate themselves in the search for educational strategies designed to foster more equitable relations among social groups.

5. The place of adult education in each education system should be defined with a view to achieving:

- (a) a rectification of the main inequalities in access to initial education and training, in particular inequalities based on age, sex, social position or social or geographical origin;
- (b) the assurance of a scientific basis for life-long education and learning as well as greater flexibility in the way in which people divide their lives between education and work, and, in particular, providing for the alternation of periods of education and work throughout the life span, and facilitating the integration of continuing education into the activity of work itself;
- (c) recognition, and increased exploitation, of the actual or potential educational value of the adult's various experiences;
- (d) easy transfer from one type or level of education to another;
- (e) greater interaction between the education system and its social, cultural and economic setting;
- (f) greater efficiency from the point of view of the contribution of educational expenditure to social, cultural and economic development.

6. Consideration should be given to the need for an adult education component, including literacy, in the framing and execution of any development programme.

7. The objectives and goals of adult education policy should be incorporated in national development plans; they should be defined in relation to the overall objectives of education policy and of social, cultural and economic development policies.

Adult education and other forms of education, particularly school and higher education and initial vocational training, should be conceived and organized as equally essential components in a co-ordinated but differentiated education system according to the tenets of life-long education and learning.

8. Measures should be taken to encourage the public authorities, institutions or bodies engaged in education, voluntary associations, workers' and employers' organizations, and those directly partici-

pating in adult education, to collaborate in the task of defining further and giving effect to these objectives.

### **III. Content of adult education**

9. Adult education activities, viewed as forming part of life-long education and learning, have no theoretical boundaries and should meet the particular situations created by the specific needs of development, of participation in community life and of individual self-fulfilment; they cover all aspects of life and all fields of knowledge and are addressed to all people whatever their level of achievement. In defining the content of adult education activities priority should be given to the specific needs of the educationally most underprivileged groups.

10. Civic, political, trade union and co-operative education activities should be aimed particularly towards developing independent and critical judgement and implanting or enhancing the abilities required by each individual in order to cope with changes affecting living and working conditions, by effective participation in the management of social affairs at every level of the decision-making process.

11. While not excluding approaches intended to achieve a short-term solution in a particular situation, technical and vocational education activities should as a general rule emphasize the acquisition of qualifications which are sufficiently broad to allow of subsequent changes of occupation and a critical understanding of the problems of working life. It is necessary to integrate general and civic education with technical and vocational education.

12. Activities designed to promote cultural development and artistic creation should encourage appreciation of existing cultural and artistic values and works and, at the same time, should aim to promote the creation of new values and new works, by releasing the expressive capabilities inherent in each individual or group.

13. Participation in adult education should not be restricted on grounds of sex, race, geographical origin, culture, age, social status, experience, belief and prior educational standard.

14. With regard to women, adult education activities should be integrated as far as possible with the whole contemporary social movement directed towards achieving self-determination for women and enabling them to contribute to the life of society as a

collective force, and should thus focus specifically on certain aspects, in particular:

- (a) the establishment in each society of conditions of equality between men and women;
- (b) the emancipation of men and women from the preconceived models imposed on them by society in every field in which they carry responsibility;
- (c) civic, occupational, psychological, cultural and economic autonomy for women as a necessary condition for their existence as complete individuals;
- (d) knowledge about the status of women, and about women's movements, in various societies, with a view to increased solidarity across frontiers.

15. With regard to settled or nomadic rural populations, adult education activities should be designed in particular to:

- (a) enable them to use technical procedures and methods of individual or joint organization likely to improve their standard of living without obliging them to forgo their own values;
- (b) put an end to the isolation of individuals or groups;
- (c) prepare individuals or groups of individuals who are obliged, despite the efforts made to prevent excessive depopulation of rural areas, to leave agriculture, either to engage in a new occupational activity while remaining in a rural environment, or to leave this environment for a new way of life.

16. With regard to such persons or groups as have remained illiterate or are experiencing difficulty in adjusting to society because of the slenderness of their resources, their limited education or their restricted participation in community life, adult education activities should be designed not only to enable them to acquire basic knowledge (reading, writing, arithmetic, basic understanding of natural and social phenomena), but also to make it easier for them to engage in productive work, to promote their self-awareness and their grasp of the problems of hygiene, health, household management and the upbringing of children, and to enhance their autonomy and increase their participation in community life.

17. With regard to young people who have been unable to acquire an adequate standard of general education or a qualification, adult education activities should, in particular, enable them to acquire additional general education with a view to developing their ability to understand the problems of society and shoulder social responsibilities, and to gaining access to the vocational training and general education which are necessary for the exercise of an occupational activity.

18. If people wish to acquire educational or vocational qualifications which are formally attested by certificates of education or of vocational aptitude and which, for social or economic reasons, they have not been able to obtain earlier, adult education should enable them to obtain the training required for the award of such certificates.

19. With regard to the physically or mentally handicapped, adult education activities should be designed, in particular, to restore or offset the physical or mental capacities which have been impaired or lost as a result of their handicap, and to enable them to acquire the knowledge and skills and, where necessary, the professional qualifications required for their social life and for the exercise of an occupational activity compatible with their handicap.

20. With regard to migrant workers, refugees, and ethnic minorities, adult education activities should in particular:

- (a) enable them to acquire the linguistic and general knowledge as well as the technical or professional qualifications necessary for their temporary or permanent assimilation in the society of the host country and, where appropriate, their re-assimilation in the society of their country of origin;
- (b) keep them in touch with culture, current developments and social changes in their country of origin.

21. With regard to unemployed persons, including the educated unemployed, adult education activities should be designed, in particular, to adapt or modify their technical or professional qualification with a view to enabling them to find or return to employment and to promote a critical understanding of their socio-economic situation.

22. With regard to ethnic minorities, adult education activities should enable them to express themselves freely, educate themselves and their children in their mother tongues, develop their own cultures and learn languages other than their mother tongues.

23. With regard to the aged, adult education activities should be designed, in particular:

- (a) to give all a better understanding of contemporary problems and of the younger generation;
- (b) to help acquire leisure skills, promote health and find increased meaning in life;

- (c) to provide a grounding in the problems facing retired people and in ways of dealing with such problems, for the benefit of those who are on the point of leaving working life;
- (d) to enable those who have left working life to retain their physical and intellectual faculties and to continue to participate in community life and also to give them access to fields of knowledge or types of activity which have not been open to them during their working life.

#### **IV. Methods, means, research and evaluation**

24. Adult education methods should take account of:
- (a) incentives and obstacles to participation and learning specially affecting adults;
  - (b) the experience gained by adults in the exercise of their family, social and occupational responsibilities;
  - (c) the family, social or occupational obligations borne by adults and the fatigue and impaired alertness which may result from them;
  - (d) the ability of adults to assume responsibility for their own learning;
  - (e) the cultural and pedagogical level of the teaching personnel available;
  - (f) the psychological characteristics of the learning process;
  - (g) the existence and characteristics of cognitive interests;
  - (h) use of leisure time.
25. Adult education activities should normally be planned and executed on the basis of identified needs, problems, wants and resources, as well as defined objectives. Their impact should be evaluated, and reinforced by whatever follow-up activities may be most appropriate to given conditions.
26. Particular emphasis should be placed on adult education activities intended for an entire social or geographical entity, mobilizing all its inherent energies with a view to the advancement of the group and social progress in a community setting.
27. In order to encourage the broadest possible participation, it may be appropriate in some situations to add, to locally based adult education, methods such as:
- (a) remote teaching programmes such as correspondence courses and radio or television broadcasts, the intended recipients of such programmes being invited to form groups with a view to listening or working together (such groups should receive appropriate pedagogical support);

- (b) programmes launched by mobile units;
- (c) self-teaching programmes;
- (d) study circles;
- (e) use of voluntary work by teachers, students and other community members.

The various services which public cultural institutions (libraries, museums, record libraries, video-cassette libraries) are able to put at the disposal of adult learners should be developed on a systematic basis, together with new types of institutions specializing in adult education.

28. Participation in an adult education programme should be a voluntary matter. The State and other bodies should strive to promote the desire of individuals and groups for education in the spirit of life-long education and learning.

29. Relations between the adult learner and the adult educator should be established on a basis of mutual respect and co-operation.

30. Participation in an adult education programme should be subject only to the ability to follow the course of training provided and not to any (upper) age limit or any condition concerning the possession of a diploma or qualification; any aptitude tests on the basis of which a selection might be made if necessary should be adapted to the various categories of candidates taking such tests.

31. It should be possible to acquire and accumulate learning, experiences and qualifications through intermittent participation. Rights and qualifications obtained in this way should be equivalent to those granted by the systems of formalized education or of such character as to allow for continued education within this.

32. The methods used in adult education should not appeal to a competitive spirit but should develop in the adult learners a shared sense of purpose and habits of participation, mutual help, collaboration and team work.

33. Adult education programmes for the improvement of technical or professional qualifications should, as far as possible, be organized during working time and, in the case of seasonal work, during the slack season. This should, as a general rule, be applied also to other forms of education, in particular literacy programmes and trade union education

34. The premises necessary for the development of adult education activities should be provided; depending on the case, these may be

premises used exclusively for adult education, with or without residential accommodation, or multi-purpose or integrated facilities or premises generally used or capable of being used for other purposes—in particular, clubs, workshops, school, university and scientific establishments, social, cultural or socio-cultural centres or open air sites.

35. Member States should actively encourage co-operative research in all aspects of adult education and its objectives. Research programmes should have a practical basis. They should be carried out by universities, adult education bodies and research bodies, adopting an interdisciplinary approach. Measures should be taken with a view to disseminating the experience and the results of the research programmes to those concerned at the national and international levels.

36. Systematic evaluation of adult education activities is necessary to secure optimum results from the resources put into them. For evaluation to be effective it should be built into the programmes of adult education at all levels and stages.

## **V. The structures of adult education**

37. Member States should endeavour to ensure the establishment and development of a network of bodies meeting the needs of adult education, this network should be sufficiently flexible to meet the various personal and social situations and their evolution.

38. Measures should be taken in order to:

- (a) identify and anticipate educational needs capable of being satisfied through adult education programmes;
- (b) make full use of existing educational facilities and create such facilities as may be lacking to meet all defined objectives;
- (c) make the necessary long-term investments for the development of adult education: in particular for the professional education of planners, administrators, those who train educators, organizational and training personnel, the preparation of educational strategies and methods suitable for adults, the provision of capital facilities, the production and provision of the necessary basic equipment such as visual aids, apparatus and technical media;
- (d) encourage exchanges of experience and compile and disseminate statistical and other information on the strategies, structures, content, methods and results, both quantitative and qualitative, of adult education;



- (e) abolish economic and social obstacles to participation in education, and to systematically bring the nature and form of adult education programmes to the attention of all potential beneficiaries, but especially to the most disadvantaged, by using such means as active canvassing by adult education institutions and voluntary organizations, to inform, counsel and encourage possible and often hesitant participants in adult education.

39. In order to achieve these objectives it will be necessary to mobilize organizations and institutions specifically concerned with adult education, and the full range, both public and private of schools, universities, cultural and scientific establishments, libraries and museums, and, in addition, other institutions not primarily concerned with adult education, such as:

- (a) mass information bodies: the press, radio and television;
- (b) voluntary associations and consortia;
- (c) professional, trade union, family and co-operative organizations;
- (d) families;
- (e) industrial and commercial firms which may contribute to the training of their employees;
- (f) educators, technicians or qualified experts working on an individual basis;
- (g) any persons or groups who are in a position to make a contribution by virtue of their education, training, experience or professional or social activities and are both willing and able to apply the principles set forth in the Preamble and the objectives and strategy outlined in the Recommendation;
- (h) the adult learners themselves.

40. Member States should encourage schools, vocational education establishments, colleges and institutions of higher education to regard adult education programmes as an integral part of their own activities and to participate in action designed to promote the development of such programmes provided by other institutions, in particular by making available their own teaching staff, conducting research and training the necessary personnel.

## **VI. Training and status of persons engaged in adult education work**

41. It should be recognized that adult education calls for special skills, knowledge, understanding and attitudes on the part of those who are involved in providing it, in whatever capacity and for any purpose. It is desirable therefore that they should be recruited with care according to their particular functions and receive initial and

in-service training for them according to their needs and those of the work in which they are engaged.

42. Measures should be taken to ensure that the various specialists who have a useful contribution to make to the work of adult education take part in those activities, whatever their nature or purpose.

43. In addition to the employment of full-time professional workers, measures should be taken to enlist the support of anyone capable of making a contribution, regular or occasional, paid or voluntary, to adult education activities, of any kind. Voluntary involvement and participation in all aspects of organizing and teaching are of crucial importance, and people with all kinds of skills are able to contribute to them.

44. Training for adult education should, as far as practicable, include all those aspects of skill, knowledge, understanding and personal attitude which are relevant to the various functions undertaken, taking into account the general background against which adult education takes place. By integrating these aspects with each other, training should itself be a demonstration of sound adult education practice.

45. Conditions of work and remuneration for full-time staff in adult education should be comparable to those of workers in similar posts elsewhere, and those for paid part-time staff should be appropriately regulated, without detriment to their main occupation.

## **VII. Relations between adult education and youth education**

46. The education of young people should progressively be oriented towards life-long education and learning, taking into account the experience gained in regard to adult education, with a view to preparing young people, whatever their social origins, to take part in adult education or to contribute to providing it. To this end, measures should be taken with a view to:

- (a) making access to all levels of education and training more widely available;
- (b) removing the barriers between disciplines and also between types and levels of education;
- (c) modifying school and training syllabuses with the aim of maintaining and stimulating intellectual curiosity, and also placing greater emphasis, alongside the acquisition of knowledge, on the development of self-teaching patterns of behaviour, a critical outlook, a reflective attitude and creative abilities;

- (d) rendering school institutions of higher education and training establishments increasingly open to their economic and social environment and linking education and work more firmly together;
- (e) informing young people at school and young people leaving full-time education or initial training of the opportunities offered by adult education;
- (f) bringing together, where desirable, adults and adolescents in the same training programme;
- (g) associating youth movements with adult education ventures.

47. In cases where a training course organized as part of adult education leads to the acquisition of a qualification in respect of which a diploma or certificate is awarded when the qualification is acquired through study in school or university, such training should be recognized by the award of a diploma or certificate having equal status. Adult education programmes which do not lead to the acquisition of a qualification similar to those in respect of which a diploma or certificate is awarded should, in appropriate cases, be recognized by an award.

48. Adult education programmes for youth need to be given the highest priority because in most parts of the world the youth form an extremely large segment of society and their education is of the greatest importance for political, economic, social and cultural development of the society in which they live. The programmes of adult education for youth should take account not only of their learning needs, but should enable them to orient themselves for the society of the future.

### **VIII. The relations between adult education and work**

49. Having regard to the close connection between guaranteeing the right to education and the right to work, and to the need to promote the participation of all, whether wage-earners or not, in adult education programmes, not only by reducing the constraints to which they are subject but also by providing them with the opportunity of using in their work the knowledge, qualifications or aptitudes which adult education programmes are designed to make available to them, and of finding in work a source of personal fulfilment and advancement, and a stimulus to creative activity in both work and social life, measures should be taken:

- (a) to ensure that, in the formulation of the curriculum of adult education programmes and activities, the working experience of adults should be taken into account:

- (b) to improve the organization and conditions of work and, in particular, to alleviate the arduous character of work and reduce and adjust working hours;
- (c) to promote the granting of educational leave during working time, without loss of remuneration or subject to the payment of compensatory remuneration and payments for the purpose of offsetting the cost of the education received and to use any other appropriate aid to facilitate education or updating during working life;
- (d) to protect the employment of persons thus assisted;
- (e) to offer comparable facilities to housewives and other home-makers and to non-wage-earners, particularly those of limited means.

50. Member States should encourage or facilitate the inclusion in collective labour agreements of clauses bearing on adult education, and in particular clauses stipulating:

- (a) the nature of the material possibilities and financial benefits extended to employees, and in particular those employed in sectors where rapid technological change is taking place or those threatened with being laid off, with a view to their participation in adult education programmes;
- (b) the manner in which technical or professional qualifications acquired through adult education are taken into account in determining the employment category and in establishing the level of remuneration.

51. Member States should also invite employers:

- (a) to anticipate and publicize, by level and type of qualification, their skilled manpower requirements and the methods of recruitment which are envisaged to meet such needs;
- (b) to organize or develop a recruitment system such as will encourage their employees to seek to improve their occupational qualifications.

52. In connection with adult training programmes organized by employers for their staff, Member States should encourage them to ensure that:

- (a) employees participate in the preparation of the programmes;
- (b) those taking part in such programmes are chosen in consultation with the workers' representative bodies;
- (c) participants receive a certificate of training or paper qualification on completion of the programme enabling them to satisfy third parties that they have completed a given course or received a given qualification.

53. Measures should be taken with a view to promoting the participation of adults belonging to labouring, agricultural or craft communities in the implementation of adult education programmes intended for such communities; to this end they should be granted special facilities with the aim of enabling the workers to take those decisions which primarily concern them.

### **IX. Management, administration, co-ordination and financing of adult education**

54. There should be set up, at all levels, international, regional, national and local:

- (a) structures or procedures for consultation and co-ordination between public authorities which are competent in the field of adult education;
- (b) structures or procedures for consultation, co-ordination and harmonization between the said public authorities, the representatives of adult learners and the entire range of bodies carrying out adult education programmes or activities designed to promote the development of such programmes.

It should be among the principal functions of these structures, for which resources should be made available, to identify the objectives, to study the obstacles encountered, to propose and, where appropriate, carry out the measures necessary for implementation of the adult education policy and to evaluate the progress made.

55. There should be set up at national level, and, where appropriate, at subnational level, structures for joint action and co-operation between the public authorities and bodies responsible for adult education on the one hand and the public or private bodies responsible for radio and television on the other. It should be among the principal functions of these structures to study, propose and, where appropriate, carry out measures designed to:

- (a) ensure that the mass media make a substantial contribution to leisure-time occupations and to the education of the people;
- (b) guarantee freedom of expression, through the mass media, for all opinions and trends in the field of adult education;
- (c) promote the cultural or scientific value and the educational qualities of programmes as a whole;
- (d) establish a two-way flow of exchanges between those responsible for or those professionally engaged in educational programmes broadcast by radio or television and the persons for whom the programmes are intended.

56. Member States should ensure that the public authorities, while assuming their own specific responsibilities for the development of adult education:

- (a) encourage, by laying down an appropriate legal and financial framework, the creation and development of adult education associations and consortia on a voluntary and administratively independent basis;
- (b) provide competent non-governmental bodies participating in adult education programmes, or in action designed to promote such programmes, with technical or financial resources enabling them to carry out their task;
- (c) see that such non-governmental bodies enjoy the freedom of opinion and the technical and educational autonomy which are necessary in order to give effect to the principles set forth in paragraph 2 above;
- (d) take appropriate measures to ensure the educational and technical efficiency and quality of programmes or action conducted by bodies in receipt of contributions from public funds.

57. The proportion of public funds, and particularly of public funds earmarked for education, allocated to adult education, should match the importance of such education for social, cultural and economic development, as recognized by each Member State within the framework of this Recommendation. The total allocation of funds to adult education should cover at least:

- (a) provision of suitable facilities or adaptation of existing facilities;
- (b) production of all kinds of learning materials;
- (c) remuneration and further training of educators;
- (d) research and information expenses;
- (e) compensation for loss of earnings;
- (f) tuition, and, where necessary and if possible, accommodation and travel costs of trainees.

58. Arrangements should be made to ensure, on a regular basis, the necessary funds for adult education programmes and action designed to promote the development of such programmes; it should be recognized that the public authorities, including local authorities, credit organizations, provident societies and national insurance agencies where they exist, and employers should contribute to these funds to an extent commensurate with their respective responsibilities and resources.

59. The necessary measures should be taken to obtain optimum use of resources made available for adult education. All available

resources, both material and human, should be mobilized to this end.

60. For the individual, lack of funds should not be an obstacle to participation in adult education programmes. Member States should ensure that financial assistance for study purposes is available for those who need it to undertake adult education. The participation of members of underprivileged social groups should, as a general rule, be free of charge.

## **X. International co-operation**

61. Member States should strengthen their co-operation, whether on a bilateral or multilateral basis, with a view to promoting the development of adult education, the improvement of its content and methods, and efforts to find new educational strategies.

To this end, they should endeavour to incorporate specific clauses bearing on adult education in international agreements concerned with co-operation in the fields of education, science and culture, and to promote the development and strengthening of adult education work in UNESCO.

62. Member States should put their experience with regard to adult education at the disposal of other Member States by providing them with technical assistance and, in appropriate cases, with material or financial assistance.

They should systematically support adult education activities conducted in countries so wishing, through UNESCO and through other international organizations, including non-governmental organizations, with a view to social, cultural and economic development in the countries concerned.

Care should be taken to ensure that international co-operation does not take the form of a mere transfer of structures, curricula, methods and techniques which have originated elsewhere, but consists rather in promoting and stimulating development within the countries concerned, through the establishment of appropriate institutions and well co-ordinated structures adapted to the particular circumstances of those countries.

63. Measures should be taken at national, regional and international level:

- (a) with a view to making regular exchanges of information and documentation on the strategies, structures, content, methods and results of adult education and on relevant research;

- (b) with a view to training educators capable of working away from their home country, particularly under bilateral or multi-lateral technical assistance programmes.

These exchanges should be made on a systematic basis, particularly between countries facing the same problems and so placed as to be capable of applying the same solutions; to this end, meetings should be organized, more especially on a regional or sub-regional basis, with a view to publicizing relevant experiments and studying to what extent they are reproducible; similarly, joint machinery should be set up in order to ensure a better return on the research which is undertaken.

Member States should foster agreements on the preparation and adoption of international standards in important fields, such as the teaching of foreign languages and basic studies, with a view to helping create a universally accepted unit-credit system.

64. Measures should be taken with a view to the optimum dissemination and utilization of audio-visual equipment and materials, as well as educational programmes and the material objects in which they are embodied. In particular, it would be appropriate:

- (a) to adapt such dissemination and utilization to the various countries' social needs and conditions, bearing in mind their specific cultural characteristics and level of development;
- (b) to remove, as far as possible, the obstacles to such dissemination and utilization resulting from the regulations governing commercial or intellectual property.

65. In order to facilitate international co-operation, Member States should apply to adult education the standards recommended at international level, in particular with regard to the presentation of statistical data.

66. Member States should support the action undertaken by UNESCO, as the United Nations Specialized Agency competent in this field, in its efforts to develop adult education, particularly in the fields of training, research and evaluation.

67. Member States should regard adult education as a matter of global and universal concern, and should deal with the practical consequences which arise therefrom, furthering the establishment of a new international order, to which UNESCO, as an expression of the world community in educational, scientific and cultural matters, is committed.



The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

*The President of the General  
Conference*

*The Director-General*

# RECOMMENDATION ON PARTICIPATION BY THE PEOPLE AT LARGE IN CULTURAL LIFE AND THEIR CONTRIBUTION TO IT, 1976<sup>1</sup>

## Introduction

*This Recommendation of the General Conference of UNESCO is the end-result of a series of declarations adopted at intergovernmental conferences on cultural policies convened by UNESCO, which testify to the growing concern of Member States to ensure the promotion of cultural rights as human rights.*

*Similarly, the United Nations General Assembly, at its twenty-eighth session (1973), urged governments (resolution No. 3148 (XXVIII) to give attention to 'the involvement of the population in the elaboration and implementation of measures ensuring the preservation and further development of cultural and moral values'*

*The broadening of the participation of the people at large in cultural life and their contribution to it is bound up with the interesting rapidity of social change, the effects of progress in technology, cultural forces themselves, and the new awareness of the overall character of development and of its inherent cultural dimension. In the industrialized countries, the raising of the standard of living, the improvement of social conditions, the universality of education and the increased availability of time and money for leisure activities are reflected in a growing demand for quality in living conditions on the part of most people. In the developing countries, the motive force is the will of each country to be master of its own fate through increased cultural authenticity—the very basis of the assertion of national identity—while taking part in the march of world progress.*

*When it involves the great majority, participation in cultural life presupposes, besides the setting of national goals, the investing of means beyond the possibilities of any private venture. Cultural rights are recognized as human rights, the governments are duty bound to establish the conditions required for the exercise of these rights and to frame cultural policies for that purpose.*

*The Recommendation on participation by the people at large in cultural life and their contribution to it concerns 'everything that should be done by Member States or the authorities to democratize the means and instruments of cultural activity, so as to enable*

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<sup>1</sup> Adopted on 26 November 1976 by the General Conference of UNESCO at its nineteenth session held in Nairobi.

*individuals to participate freely and fully in cultural creation and its benefits, in accordance with the requirements of social progress' It enumerates the ultimate aims which should be pursued through measures of a legislative or regulatory character. Among the technical, administrative, economic and financial measures, means of cultural action and key policies contributing in other sectors to the attainment of the goal to be reached are set out. Finally measures recommended within the framework of international co-operation are directed towards strengthening mutual understanding and respect the mobilization of resources, the combining of efforts and the circulation of people, knowledge and ideas.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Nairobi from 26 October to 30 November 1976, at its nineteenth session,

*Recalling* that under the terms of Article 27 of the Universal Declaration of Human Rights, "everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits",

*Recalling* that the Constitution of Unesco states, in its preamble, that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man,

*Recalling* the provisions of the Declaration of the Principles of International Cultural Co-operation adopted by the General Conference of Unesco on 4 November 1966 at its fourteenth session, and in particular Article I which states that "each culture has a dignity and value which must be respected and preserved", and Article IV which stipulates that one of the aims of international cultural co-operation is "to enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life", and also the provisions of the Final Act of the Conference on Security and Co-operation in Europe to the effect that the participating States, "desiring to contribute to the strengthening of peace and understanding among peoples and to the spiritual enrichment of the human personality without distinction as to race, sex, language or religion", will set themselves the objective, amongst others, of promoting access by all to their respective cultural achievements,

*Considering* that cultural development not only complements and regulates general development but is also a true instrument of progress,

*Considering:*

- (a) that culture is an integral part of social life and that a policy for culture must therefore be seen in the broad context of general State policy, and that culture is, in its very essence, a social phenomenon resulting from individuals joining and co-operating in creative activities,
- (b) that culture is today becoming an important element in human life and one of the principal factors in the progress of mankind, and that an essential premise for such progress is to ensure the constant growth of society's spiritual potential, based on the full, harmonious development of all its members and the free play of their creative faculties,
- (c) that culture is not merely an accumulation of works and knowledge which an élite produces, collects and conserves in order to place it within reach of all; or that a people rich in its past and its heritage offers to others as a model which their own history has failed to provide for them; that culture is not limited to access to works of art and the humanities, but is at one and the same time the acquisition of knowledge, the demand for a way of life and the need to communicate,

*Considering* that participation by the greatest possible number of people and associations in a wide variety of cultural activities of their own free choice is essential to the development of the basic human values and dignity of the individual, and that access by the people at large to cultural values can be assured only if social and economic conditions are created that will enable them not only to enjoy the benefits of culture, but also to take an active part in overall cultural life and in the process of cultural development,

*Considering* that access to culture and participation in cultural life are two complementary aspects of the same thing, as is evident from the way in which one affects the other - access may promote participation in cultural life and participation may broaden access to culture by endowing it with its true meaning - and that without participation, mere access to culture necessarily falls short of the objectives of cultural development,

*Noting* that cultural action often involves only a minute proportion of the population and that, moreover, existing organizations and the means used do not always meet the needs of those who are in a particularly vulnerable position because of their inadequate education, low standard of living, poor housing conditions and economic and social dependence in general,

*Noting* that there is often a wide discrepancy between the reality and the proclaimed ideals, declared intentions, programmes or expected results,

*Considering* that while it is essential and urgent to define objectives, contents and methods for a policy of participation by the people at large in cultural life, the solutions envisaged cannot be identical for all countries, in view of the current differences between the socio-economic and political situations in States,

*Reaffirming* the principles of respect for the sovereignty of States, non-interference in the internal affairs of other countries, equality of rights and the right of peoples to self-determination,

*Aware* of the responsibility which devolves upon Member States to implement cultural policies for the purpose of advancing the objectives set forth in the Charter of the United Nations, the Constitution of Unesco, the International Covenant on Economic, Social and Cultural Rights, and the Declaration on the Principles of International Cultural Co-operation,

*Bearing in mind* that elimination of the economic and social inequality which prevents broad sections of the population from gaining access to knowledge which is the foundation of science and technology, and from becoming aware of their own cultural needs, implies broader participation on their part; that to these obstacles must be added a resistance to change, and barriers of all kinds, whether they are of political or commercial origin or take the form of a reaction by closed communities,

*Considering* that the problem of access and participation can be solved by collective approaches extending to many sectors and aspects of life; that such approaches should be diversified according to the special characteristics of each community, the whole forming a true design for living calling for basic policy options,

*Considering* that access to culture and participation in cultural life are essential components of an overall social policy dealing with the condition of the working masses, the organization of labour, leisure time, family life, education and training, town-planning and the environment,

*Aware* of the important role that can be played in cultural and social life by: young people, whose mission is to contribute to the evolution and progress of society; parents, particularly because of the decisive influence which they exercise on the cultural education of children and the development of their creativity; elderly people who are available to discharge a new social and cultural function; workers, because of the active contribution they make to social changes; artists, as creators and bearers of

cultural values; cultural development personnel whose task is to secure the effective participation in cultural life of all sections of the population and to ascertain and express their aspirations, relying for this purpose on the collaboration of the spontaneous leaders of the community,

*Considering* that access and participation, which should provide everyone with the opportunity not only to receive benefits but also to express himself in all the circumstances of social life, imply the greatest liberty and tolerance in the fields of cultural training and the creation and dissemination of culture,

*Considering* that participation in cultural life presupposes an affirmation of the personality, its dignity and value, and also the implementation of the fundamental rights and freedoms of man attested by the Charter of the United Nations and international legal instruments concerning human rights, and that the cultural development of the individual is hindered by such phenomena as the policy of aggression, colonialism, neo-colonialism, fascism and racism in all its forms and manifestations, as well as by other causes,

*Considering* that participation in cultural life takes the form of an assertion of identity, authenticity and dignity; that the integrity of identity is threatened by numerous causes of erosion stemming, in particular, from the prevalence of inappropriate models or of techniques which have not been fully mastered,

*Considering* that the assertion of cultural identity should not result in the formation of isolated groups but should, on the contrary, go hand in hand with a mutual desire for wide and frequent contacts, and that such contacts are a fundamental requirement without which the objectives of the present recommendation would be unattainable,

*Bearing in mind* the fundamental part played by general education, cultural education and artistic training, and the use of working time and free time, with a view to full cultural development, in a context of life-long education,

*Considering* that the mass media can serve as instruments of cultural enrichment, both by opening up unprecedented possibilities of cultural development, in contributing to the liberation of the latent cultural potential of individuals, to the preservation and popularization of traditional forms of culture, and to the creation and dissemination of new forms, and by turning themselves into media for group communication and promoting direct participation by the people,

*Considering* that the ultimate objective of access and participation is to raise the spiritual and cultural level of society as a whole on the basis of humanistic values and to endow culture with a humanistic and democratic content, and that this in turn

implies taking measures against the harmful effect of "commercial mass culture", which threatens national cultures and the cultural development of mankind, leads to debasement of the personality and exerts a particularly harmful influence on the young generation,

*Having before it*, as item 28 of the agenda of the session, proposals concerning participation by the people at large in cultural life and their contribution to it,

*Having decided* at its eighteenth session that this question should be made the subject of an international regulation, to take the form of a recommendation to Member States,

*Adopts*, this twenty-sixth day of November 1976, the present Recommendation.

*The General Conference* recommends Member States to implement the following provisions, taking whatever legislative or other steps may be required - in conformity with the constitutional practice of each state and the nature of the question under consideration - to apply the principles and norms formulated in this Recommendation within their respective territories,

*The General Conference* recommends Member States to bring this Recommendation to the knowledge of authorities, institutions and organizations which can help to ensure participation by the people at large in cultural life and their contribution to it.

*The General Conference* recommends Member States to submit to it, at such items and in such manner as it shall determine, reports concerning the action they have taken upon this Recommendation.

## **I. Definitions, and scope of the Recommendation**

1. This Recommendation concerns everything that should be done by Member States or the authorities to democratize the means and instruments of cultural activity, so as to enable all individuals to participate freely and fully in cultural creation and its benefits, in accordance with the requirements of social progress.

2. For the purposes of the Recommendation:

- (a) *by access to culture* is meant the concrete opportunities available to everyone, in particular through the creation of the appropriate socio-economic conditions, for freely obtaining information, training, knowledge and understanding, and for enjoying cultural values and cultural property;
- (b) *by participation in cultural life* is meant the concrete opportunities guaranteed for all - groups or individuals - to express

themselves freely, to act, and engage in creative activities with a view to the full development of their personalities, a harmonious life and the cultural progress of society;

- (c) *by communication* is meant relations between groups or individuals desirous of freely exchanging or pooling information, ideas and knowledge with a view to promoting dialogue, concerted action, understanding and a sense of community while respecting their originality and their differences, in order to strengthen mutual understanding and peace.

3. For the purposes of the Recommendation:

- (a) the concept of *culture* has been broadened to include all forms of creativity and expression of groups or individuals, both in their ways of life and in their artistic activities;
- (b) *free, democratic access to culture of the people at large* presupposes the existence of appropriate economic and social policies;
- (c) *participation in cultural life* presupposes involvement of the different social partners in decision-making related to cultural policy as well as in the conduct and evaluation of activities;
- (d) free participation in cultural life is related to:
  - (i) a *development policy* for economic growth and social justice;
  - (ii) a *policy of life-long education* which is geared to the needs and aspirations of all people and makes them aware of their own intellectual potentialities and sensitivity, provides them with cultural education and artistic training, improves their powers of self-expression and stimulates their creativity, thus enabling them more successfully to master social changes and to participate more fully in the community life of society;
  - (iii) a *science and technology policy* inspired by the resolve to safeguard the cultural identity of the peoples;
  - (iv) a *social policy* directed towards progress and, more precisely, the attenuation - with a view to their elimination - of the inequalities handicapping certain groups and individuals, especially the least privileged, in regard to their living conditions, their opportunities and the fulfillment of their aspirations;
  - (v) an *environmental policy* designed, through the planned use of space and the protection of nature, to create a background to living conducive to the full development of individuals and societies;
  - (vi) a *communication policy* designed to strengthen the free exchange of information, ideas and knowledge, in order to promote mutual understanding, and encouraging to this end the



use and extension of both modern and traditional media for cultural purposes;

(vii) a *policy for international co-operation* based on the principle of equality of cultures, mutual respect, understanding and confidence and strengthening of peace.

## II. Legislation and regulations

4. It is recommended that Member States, if they have not already done so, adopt legislation or regulations in conformity with their national constitutional procedures, or otherwise modify existing practices in order to:

- (a) guarantee as human rights those rights bearing on access to and participation in cultural life, in the spirit of the Universal Declaration of Human Rights, of the International Covenant on Civil and Political Rights and in accordance with the ideals and objectives set forth in the United Nations Charter and in the Constitution of Unesco;
- (b) provide effective safeguards for free access to national and world cultures by all members of society without distinction or discrimination based on race, colour, sex, language, religion, political convictions, national or social origin, financial situation or any other consideration and so to encourage free participation by all sections of the population in the process of creating cultural values;
- (c) pay special attention to women's full entitlement to access to culture and to effective participation in cultural life;
- (d) promote the development and dissemination of national cultures and the development of international co-operation in order to make the cultural achievements of other peoples better known and to strengthen friendship and mutual understanding;
- (e) create appropriate conditions enabling the populations to play an increasing active part in building the future of their society, to assume responsibilities and duties and exercise rights in that process;
- (f) guarantee the recognition of the equality of cultures, including the cultures of national minorities and of foreign minorities if they exist, as forming part of the common heritage of all mankind, and ensure that they are promoted at all levels without discrimination; ensure that national minorities and foreign minorities have full opportunities for gaining access to and participating in the cultural life of the countries in which they find themselves in order to enrich it with their specific contributions, while safeguarding their right to preserve their cultural identity;

- (g) protect, safeguard and enhance all forms of cultural expression such as national or regional languages, dialects, folk arts and traditions both past and present, and rural cultures as well as cultures of other social groups;
- (h) ensure that the handicapped are integrated in cultural life and have opportunities of contributing to it;
- (i) ensure equality of access to education;
- (j) guarantee freedom of expression and communication serving to strengthen the ideals of humanism;
- (k) bring about conditions conducive to creative work and ensure the freedom of creative artists and the protection of their works and rights;
- (l) improve the professional status of the various categories of personnel required for the implementation of cultural policies;
- (m) ensure that cultural education and artistic training are given their proper place in the curricula of educational and training establishments, and extend enjoyment of the artistic heritage to the population outside the education system;
- (n) multiply opportunities for intellectual, manual or gestural creation and encourage artistic training, experience and expression with a view to bringing about the integration of art and life;
- (o) provide the mass media with a status ensuring their independence, due attention being paid to the effective participation of creative artists and the public; these media should not threaten the authenticity of cultures or impair their quality; they ought not to act as instruments of cultural domination but serve mutual understanding and peace;
- (p) reconcile the duty to protect and enhance everything connected with the cultural heritage, traditions and the past with the need to allow the endeavours of the present and the modern outlook to find expression;
- (q)
  - (i) protect and enhance the heritage of the past, and particularly ancient monuments and traditions which may contribute to the essential equilibrium of societies subject to a rapid process of industrialization and urbanization;
  - (ii) make the public aware of the importance of town-planning and architecture, not only because they are the reflection of cultural and social life, but above all because they condition the very background to living;
  - (iii) associate the population with the conservation and management of the natural environment both at the national and at the international levels, since the quality of the natural environment is essential to the full development of the human personality;

- (r) create, through the appropriate bodies, conditions making it possible for work and leisure, each in its own way, to offer opportunities for cultural creation to each and everyone, and lay down conditions governing working and leisure hours and the operational organization of cultural institutions which will enable to greatest possible number of people to gain access to culture and participate in cultural life;
- (s) reject concepts which, under the guise of cultural action, are based on violence and aggression, domination, contempt and racial prejudice, as well as on debasing ideas or practices;
- (t) strengthen their work in support of peace and international understanding, in accordance with the Declaration of the Principles of International Cultural Co-operation and encourage the dissemination of ideas and cultural goods conducive to the strengthening of peace, security and co-operation.

### **III. Technical, administrative, economic and financial measures**

5. It is recommended to Member States, if they have not already done so, that they make the necessary technical, administrative and financial resources available to upgrade policies for cultural action from the insignificant position to which they may still be relegated until they reach an operationally effective level enabling them to achieve the goals of life-long education and cultural development and to ensure to the maximum that the people at large have access to culture and participate freely in cultural life. For this purpose Member States should take the following measures:

#### *A. Ways and means of cultural action*

##### *Decentralization of facilities, activities and decisions*

6. Member States or the appropriate authorities should:
- (a) foster decentralization of activities and encourage the development of local centres, special attention being paid to under-populated peripheral or under-privileged areas;
  - (b) encourage, extend and strengthen the network of cultural and artistic institutions not only in large towns but also in smaller towns, villages and urban neighbourhoods;
  - (c) encourage the setting up of facilities best suited to the needs of the users and foster the integration of facilities used for cultural activities with those which are designed for social and educational work and which should be mobile to some extent, in order to make available to the widest possible public all the means needed for the heightening of awareness and for cultural development;

- (d) encourage the use for cultural purposes of all public facilities that promote communication among groups and individuals;
- (e) encourage inter-regional and inter-community exchanges;
- (f) stimulate regional or local initiative, both by providing decision-makers with the necessary resources at appropriate levels and by sharing the decision-making function with the representatives of other parties interested in cultural problems; and to this end develop secondary centres for administrative decision-making;
- (g) develop methods for the promotion of artistic creation and cultural activity by the people at large, based upon the people's own organizations, in both residential areas and working places;
- (h) apply special measures for certain disadvantaged groups and for environments with a poorly developed cultural life. Special attention should be paid to e.g. children, the handicapped, people living in hospitals and prisons, and people living in remotely situated areas, as well as those in city slums. Decisions and responsibility should, as much as possible, be left with the group participating in the activities.

*Concerted action*

7. Member States or the appropriate authorities should encourage concerted action and co-operation both as regards the activities themselves and decision-making;

- (a) by paying special attention to creative cultural and artistic non-institutional and non-professional activities and by providing all possible support to amateur activities in all their diversity;
- (b) by establishing advisory structures, at the local, regional and national levels, bringing together representatives of the professional and social groups concerned who will participate in determining the objectives and ways and means of cultural action.

*Trade unions and other workers' organizations*

8. Member States or the appropriate authorities should take all such measures as will be of assistance to socio-cultural organizations for the people at large, trade unions and other workers' organizations for wage-earners or the self-employed (farmers, craftsmen, etc.), in freely carrying out their cultural policies or projects so as to enable them to enjoy the whole wealth of cultural values and to take an active part in the cultural life of society.

*"Animation"*

9. Member States or the appropriate authorities should:

- (a) contribute to the training of cultural development personnel, in particular of "animateurs", who should act as information, communication and expression intermediaries, by putting people in contact with each other and serving as a connecting link between the public; the work of art, and the artist, and between the public and cultural institutions;
- (b) provide such personnel with means of action enabling them, on the one hand, to give support to the spontaneous "animateurs" of local communities and, on the other hand, to stimulate initiative and participation, using the necessary training methods;
- (c) encourage the use of instruments and equipment for communication and expression, which have educational value and offer a potential for creation, by making them available to cultural centres and institutions such as public libraries, museums, etc.

*Artistic creation*

10. Member States or other appropriate authorities should:

- (a) create social, economic and financial conditions which should provide artists, writers and composers of music with the necessary basis for free creative work;
- (b) define, for this purpose, in addition to the legal measures connected with copyright and the protection of works of art:
  - (i) social measures applying to all professional artists and fiscal measures designed to assist not only collective forms of artistic creation (theatre, cinema, etc.) but also individual artists;
  - (ii) a policy of fellowships, prizes, State commissions, and the engagement of artists, particularly for the construction and decoration of public buildings;
  - (iii) a policy for the dissemination of culture (exhibitions, performances of musical and theatrical works, etc.);
  - (iv) a research policy that offers individual artists, groups and institutions the possibility of carrying out experiments and research in multi-purpose workshops, without feeling obliged to produce successful results, in such a way as to foster an artistic and cultural renewal;
- (c) consider establishing funds to provide aid for artistic creation;
- (d) encourage the endeavours of all who have a vocation for artistic creation and help young people to develop their talents without any discrimination and strengthen specialized institutions providing professional training in all the arts;
- (e) promote opportunities for the publication of high-quality reproductions of artistic works, the publication and translation of literary works and the publication and performance of musical compositions;

- (f) associate artists at all levels in the formulation and implementation of cultural policies;
- (g) ensure the multiplicity of bodies called upon to assess works of art and the regular renewal of their membership, as well as the multiplicity of sources of finance, so as to safeguard the freedom of creative artists;
- (h) give technical, administrative and financial assistance to groups of amateur artists and support co-operation between non-professional and professional artists.

*Cultural industries*

11. Member States or the appropriate authorities should make sure that the criterion of profit-making does not exert a decisive influence on cultural activities, and, in drawing up cultural policies, provide for machinery for negotiating with private cultural industries, as well as for supplementary or alternative initiatives.

*Dissemination*

12. Member States or the appropriate authorities should:
- (a) adopt a policy of granting subsidies and awarding prizes for cultural goods and services, and bring about conditions which will ensure that they are disseminated and become accessible to the broadest possible social categories, particularly in cultural fields neglected by commercial enterprises;
  - (b) take steps by means of a policy of appropriate subsidies and contracts, to further the development of the activities of cultural associations at the national, regional and local levels;
  - (c) give prominence to a type of dissemination which is conducive to an active frame of mind in the public rather than to passive consumption of cultural products.

*Research*

13. Member States or the appropriate authorities should foster cultural development research projects which aim, *inter alia*, at evaluating current activities as well as stimulating new experiments and studying their impact on the widest possible audiences, with a view to the possible adoption of fresh measures in connexion with cultural policies.

*B. Policies related to cultural action*

*Communication*

14. Member States or the appropriate authorities should:
- (a) promote all occasions for communication, such as meetings, debates, public performances, group activities, and festivals, for the purpose of encouraging dialogue and a continuous

- exchange of ideas between individuals, the public, creative artists, "animateurs" and producers;
- (b) develop the opportunities for cultural contact and exchange provided by sports events, nature discovery expeditions, art and aesthetic education, current events and tourism;
  - (c) encourage the usual social intermediaries (communities, institutions, agencies, trade unions, and other groups) to promote information and free cultural expression for their members on the widest possible scale, in order to increase their awareness of and familiarize them with cultural activities;
  - (d) supply information that is apt to generate feedback and personal initiative;
  - (e) facilitate access to written works by arranging for mobile and flexible forms of dissemination, and provide for extension work in places such as libraries or reading rooms;
  - (f) promote extensive use of audio-visual media in order to bring the best of the culture of both past and present within the reach of large sectors of the population, including, where applicable, oral traditions, in the collection of which the media can assuredly assist;
  - (g) promote the active participation of audiences by enabling them to have a voice in the selection and production of programmes, by fostering the creation of a permanent flow of ideas between the public, artists and producers and by encouraging the establishment of production centres for use by audiences at local and community levels;
  - (h) encourage the communication media to increase the number and variety of their programmes in order to offer the widest range of choices, bearing in mind the extreme diversity of audiences, to enhance the cultural quality of programmes intended for the public at large, to select spoken and visual languages accessible to all audiences, to give preference to material which serves the purposes of information and education rather than those of propaganda and publicity and to pay special attention to the protection of national cultures from potentially harmful influences of some types of mass production;
  - (i) promote comparative studies and research on the reciprocal influence as between the artist, the mass media and society and on the relationship between the production and impact of cultural programmes;
  - (j) provide, with a view to life-long education, an introduction to audio-visual languages as well as to choosing communication media and programmes with discrimination from an early age;
  - (k) develop, in a general way, forms of education and training which are adapted to the special characteristics of audiences in

order to make them capable of receiving, selecting and grasping the mass of information which is put into circulation in modern societies.

#### *Education*

15. Member States or the appropriate authorities should:
- (a) link cultural plans systematically with educational plans within the context of life-long education embracing the family, the school, community life, vocational training, continuing education and cultural activity;
  - (b) help people at large to gain access to knowledge, bearing in mind the need to create socio-economic conditions such as will allow them to participate in community life, and make whatever changes may be required in educational systems, content and methods;
  - (c) develop, in a systematic manner, cultural education and artistic training programmes at all levels by inviting contributions from artists and those responsible for cultural action.

#### *Youth*

16. Member States or the appropriate authorities should offer young people a wide range of cultural activities which correspond to their needs and aspirations, encourage them to acquire a sense of social responsibility, awaken their interest in the cultural heritage of their own country and in that of all mankind and, with a view to cultural co-operation in a spirit of friendship, international understanding and peace, promote the ideals of humanism and respect for widely recognized educational and moral principles.

#### *Environment*

17. Member States or the appropriate authorities should:
- (a) set up machinery for concerted action allowing the inhabitants or their representatives to be closely associated with the preparation and implementation of town-planning projects and changes to the architectural setting in which they live, and also with the safeguarding of historic quarters, towns and sites and their integration into a modern environment;
  - (b) take into consideration the international instruments adopted on such issues by intergovernmental organizations.

### **IV. International co-operation**

18. Member States or the appropriate authorities should:
- (a) strengthen bilateral and multilateral, and regional and international cultural co-operation with due regard for the generally recognized principles of international law and the ideals and



- objectives of the United Nations, sovereignty and independence of States, mutual advantage, and the equality of cultures;
- (b) inspire in the people at large respect for other peoples and a refusal to countenance acts of international violence and policies based on force, domination and aggression;
  - (c) encourage the circulation of ideas and cultural values conducive to better understanding among men;
  - (d) develop and diversify cultural exchanges with a view to promoting an ever deeper appreciation of the values of each culture and, in particular, draw attention to the cultures of the developing countries as a mark of esteem for their cultural identity;
  - (e) contribute actively to the implementation of cultural projects and to the production and dissemination of works created by common endeavours, and develop direct contacts and exchanges between institutions and persons active in the cultural field, as well as research on cultural development;
  - (f) encourage non-governmental organizations, socio-cultural organizations for the people at large, trade unions and social and occupational groups, women's associations, youth movements, co-operatives and other organizations (for instance, artists' associations) to participate in international cultural exchanges and their development;
  - (g) take account, in exchanges of persons, of the mutual enrichment resulting from co-operation between specialists from different countries;
  - (h) bear in mind that the need for introductory courses and information on culture is all the greater when the aim is to arouse interest in the civilizations and cultures of other nations in order to open men's minds to the recognition of the plurality and equality of cultures;
  - (i) ensure that the messages chosen are inserted or reinserted into a universal context so that opportunities for access to culture may have significance for the whole international community;
  - (j) take account of the important contribution that the press, books, audio-visual media, and in particular television, can make to the mutual understanding of nations and to their knowledge of the cultural achievements of other nations; encourage the use of communication media, including telecommunication satellites, to promote the ideals of peace, human rights and fundamental freedoms, friendship among men and international understanding and co-operation, and thus create the necessary conditions to enable their national cultures to resist ideas of hatred between peoples, war, force and racism, in view of their adverse consequences and their corruptive effect on young people;

- (k) provide appropriate financial facilities for activities which aim at promoting international exchanges and cultural co-operation.

## **V. Federal or confederate States**

19. In the implementation of this Recommendation, Member States with a federal or confederate constitution shall not be bound to carry the provisions of the Recommendation into effect when competence for the latter is constitutionally vested in each of the constituent States, provinces or cantons; in such a case, the sole obligation of the federal or confederate government concerned shall be to inform the States, provinces or cantons of those provisions and to recommend their adoption.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the United Nations Educational Scientific and Cultural Organization during its nineteenth session, which was held in Nairobi, and declared closed the thirtieth day of November 1976.

IN FAITH WHEREOF we have appended our signatures.

*The President of the General  
Conference*

*The Director-General*

## RECOMMENDATION CONCERNING THE STATUS OF THE ARTIST, 1980<sup>1</sup>

### Introduction

*The Member States of UNESCO have been concerned with the status of the artist since the Organization's inception and the General Conference session held in Beirut in 1948.*

*UNESCO, convinced that artists play an important role in the life and evolution of society, and recognizing that the vigour and vitality of the arts depend inter alia on the well-being of artists both individually and collectively and that, as a result of recent economic, social and technological developments, their situation is passing through a crisis to which it is becoming urgent to find a remedy, organized a series of surveys, symposia, studies and meetings for the purpose of determining the political, economic, social and moral situation of the artist in contemporary society.*

*The International Labour Office (ILO) was associated with this preliminary stage because, as the two organizations agreed, a series of problems relating to artists' work, conditions of employment and professional and trade-union Organization fell within the competence of ILO. It became clear that the preparation of a recommendation would mark an important stage in this work on behalf of a professional group which has an essential role to play in safeguarding and developing culture.*

*The present Recommendation, adopted by consensus by the General Conference at its twenty-first session, defines the status of the artist in detail, with particular reference to the conventions governing copyright and the rights of performers. It lays down some guiding principles for the action of governments in this matter. It deals with the vocation and training of the artist and with measures designed to encourage them. It asks Member States to promote and protect the status of artists, both economic and social, by encouraging artistic activity, including innovation and research, and by providing the necessary safeguards of their creative freedom. Member States are invited to improve the social recognition of artists and to see that they are closely associated with decisions relating to the formulation and execution of cultural policies.*

*This recommendation should be regarded as a general framework for the continuing activity of UNESCO on behalf of artists and should be supplemented by measures of all kinds*

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<sup>1</sup> Adopted by the UNESCO General Conference at its twenty-first session, held at Belgrade, on 27 October 1980.

*dealing specifically with the particular conditions created by the economic and social situation of artists in certain types of societies or by the discipline which they practise.*

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The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Belgrade from 23 September to 28 October 1980 at its twenty-first session,

*Recalling* that, under the terms of Article 1 of its Constitution, the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nationals through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations,

*Recalling* the terms of the Universal Declaration of Human Rights, and particularly Articles 22, 23, 24, 25, 27 and 28 thereof, quoted in the annex to this Recommendation,

*Recalling* the terms of the United Nations International Covenant on Economic, Social and Cultural Rights, particularly its Articles 6 and 15, quoted in the annex to this Recommendation, and the need to adopt the necessary measures for the preservation, development and dissemination of culture, with a view to ensuring the full exercise of these rights,

*Recalling* the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of UNESCO at its fourteenth session, particularly its Articles III and IV, which are quoted in the annex to this Recommendation, as well as the Recommendation on Participation by the People at Large in Cultural Life and their Contribution to it, adopted by the General Conference of UNESCO at its nineteenth session,

*Recognizing* that the arts in their fullest and broadest definition are and should be an integral part of life and that it is necessary and appropriate for governments to help create and sustain not only a climate encouraging freedom of artistic expression but also the material conditions facilitating the release of this creative talent,

*Recognizing* that every artist is entitled to benefit effectively from the social security and insurance provisions contained in the basic texts, Declarations, Covenant and Recommendation mentioned above,

- Considering* that the artist plays an important role in the life and evolution of society and that he should be given the opportunity to contribute to society's development and, as any other citizen, to exercise his responsibilities therein, while preserving his creative inspiration and freedom of expression,
- Further recognizing* that the cultural, technological, economic, social and political development of society influences the status of the artist and that it is consequently necessary to review his status, taking account of social progress in the world,
- Affirming* the right of the artist to be considered, if he so wishes, as a person actively engaged in cultural work and consequently to benefit, taking account of the particular conditions of his artistic profession, from all the legal, social and economic advantages pertaining to the status of workers,
- Affirming further* the need to improve the social security, labour and tax conditions of the artist whether employed or self-employed, taking into account the contribution to cultural development which the artist makes,
- Recalling* the importance, universally acknowledged both nationally and internationally, of the preservation and promotion of cultural identity and of the role in this field of artists who perpetuate the practice of traditional arts and also interpret a nation's folklore,
- Recognizing* that the vigour and vitality of the arts depend, *inter alia*, on the well-being of artists both individually and collectively,
- Recalling* the conventions and recommendations of the International Labour Organisation (ILO) which have recognized the rights of workers in general and, hence, the rights of artists and, in particular, the conventions and recommendations listed in the appendix to this Recommendation,
- Taking note*, however, that some of the International Labour Organization standards allow for derogations or even expressly exclude artists, or certain categories of them, owing to the special conditions in which artistic activity takes place, and that it is consequently necessary to extend their field of application and to supplement them by other standards,
- Considering* further that this recognition of their status as persons actively engaged in cultural work should in no way compromise their freedom of creativity, expression and communication but should, on the contrary, confirm their dignity and integrity,
- Convinced* that action by the public authorities is becoming necessary and urgent in order to remedy the disquieting situation of artists in a large number of Member States, particularly with

- regard to human rights, economic and social circumstances and their conditions of employment, with a view to providing artists with the conditions necessary for the development and flowering of their talents and appropriate to the role that they are able to play in the planning and implementation of cultural policies and cultural development activities of communities and countries and in the improvement of the quality of life,
- Considering* that art plays an important part in education and that artists, by their works, may influence the conception of the world held by all people, and particularly by youth,
- Considering* that artists must be able collectively to consider and, if necessary, defend their common interests, and therefore must have the right to be recognized as a professional category and to constitute trade union or professional organizations,
- Considering* that the development of the arts, the esteem in which they are held and the promotion of arts education depend in large measure on the creativity of artists,
- Aware* of the complex nature of artistic activity and of the diverse forms it takes and, in particular, of the importance, for the living conditions and the development of the talents of artists, of the protection of their moral and material rights in their works, or performances, or the use made of them, and of the need to extend and reinforce such protection,
- Considering* the need to endeavour to take account as far as possible of the opinion both of artists and of the people at large in the formulation and implementation of cultural policies and for that purpose to provide them with the means for effective action,
- Considering* that contemporary artistic expression is presented in public places and that these should be laid out so as to take account of the opinions of the artists concerned,
- Considering* therefore that there should be close co-operation between architects, contractors and artists in order to lay down aesthetic guidelines for public places which will respond to the requirements of communication and make an effective contribution to the establishment of new and meaningful relationships between the public and its environment,
- Taking into account* the diversity of circumstances of artists in different countries and within the communities in which they are expected to develop their talents, and the varying significance attributed to their works by the societies in which they are produced,
- Convinced*, nevertheless, that despite such differences, questions of similar concern arise in all countries with regard to the status of the artist, and that a common will and inspiration are called

for if a solution is to be found and if the status of the artist is to be improved, which is the intention of this Recommendation,  
*Taking note* of the provisions of the international conventions in force relating, more particularly, to literary and artistic property, and in particular of the Universal Convention and the Berne Convention for the Protection of Literary and Artistic Works, and of those relating to the protection of the rights of performers, of the resolutions of the General Conference, of the recommendations made by UNESCO's intergovernmental conferences on cultural policies, and of the conventions and recommendations adopted by the International Labour Organization, listed in the appendix to this Recommendation,  
*Having before it*, as item 31 of the agenda of the session proposals concerning the status of the artist,  
*Having decided*, at its twentieth session, that this question should be the subject of a recommendation to Member States,  
*Adopts* this Recommendation this twenty-seventh day of October 1980:

*The General Conference* recommends that Member States implement the following provisions, taking whatever legislative or other steps may be required - in conformity with the constitutional practice of each State and the nature of the questions under consideration - to apply the principles and norms set forth in this Recommendation within their respective territories.

For those States which have a federal or non-unitary constitutional system, the General Conference recommends that, with regard to the provisions of this Recommendation the implementation of which comes under the legal jurisdiction of individual constituent States, countries, provinces, cantons or any other territorial and political subdivisions that are not obliged by the constitutional system of the federation to take legislative measures, the federal government be invited to inform the competent authorities of such States, countries, provinces or cantons of the said provisions, with its recommendation for their adoption.

*The General Conference* recommends that Member States bring this Recommendation to the attention of authorities, institutions and organizations in a position to contribute to improvement of the status of the artist and to foster the participation of artists in cultural life and development.

*The General Conference* recommends that Member States report to it, on dates and in a manner to be determined by it, on the action they have taken to give effect to this Recommendation.

## **I. Definitions**

For the purposes of this Recommendation:

1. 'Artist' is taken to mean any person who creates or gives creative expression to, or re-creates works of art, who considers his artistic creation to be an essential part of his life, who contributes in this way to the development of art and culture and who is or asks to be recognized as an artist, whether or not he is bound by any relations of employment or association.
2. The word 'status' signifies, on the one hand, the regard accorded to artists, defined as above, in a society, on the basis of the importance attributed to the part they are called upon to play therein and, on the other hand, recognition of the liberties and rights, including moral, economic and social rights, with particular reference to income and social security, which artists should enjoy.

## **II. Scope of application**

This Recommendation applies to all artists as defined in paragraph I.1, irrespective of the discipline or form of art practised by such artists. These include *inter alia* all creative artists and authors within the meaning of the Universal Copyright Convention and the Berne Convention for the Protection of Literary and Artistic Works, as well as performers and interpreters within the meaning of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.

## **III. Guiding principles**

1. Member States, recognizing that art reflects, preserves and enriches the cultural identity and spiritual heritage of the various societies, constitutes a universal form of expression and communication and, as a common denominator in ethnic, cultural or religious differences, brings home to everyone that sense of belonging to the human community, should accordingly, and for these purposes, ensure that the population as a whole has access to art.
2. Member States should encourage all activities designed to highlight the action of artists for cultural development, including in particular activities carried out by the mass media and the educational system, and for the employment of leisure for cultural purposes.



3. Member States, recognizing the essential role of art in the life and development of the individual and of society, accordingly have a duty to protect, defend and assist artists and their freedom of creation. For this purpose, they should take all necessary steps to stimulate artistic creativity and the flowering of talent, in particular by adopting measures to secure greater freedom for artists, without which they cannot fulfil their mission, and to improve their status by acknowledging their right to enjoy the fruits of their work. Member States should endeavour by all appropriate means to secure increased participation by artists in decisions concerning the quality of life. By all means at their disposal, Member States should demonstrate and confirm that artistic activities have a part to play in the nations' global development effort to build a juster and more humane society and to live together in circumstances of peace and spiritual enrichment.

4. Member States should ensure, through appropriate legislative means when necessary, that artists have the freedom and the right to establish trade unions and professional organizations of their choosing and to become members of such organizations, if they so wish, and should make it possible for organizations representing artists to participate in the formulation of cultural policies and employment policies, including the professional training of artists, and in the determination of artists' conditions of work.

5. At all appropriate levels of national planning, in general, and of planning in the cultural field, in particular, Member States should make arrangements, by close co-ordination of their policies relating to culture, education and employment among other things, to define a policy for providing assistance and material and moral support for artists and should ensure that public opinion is informed of the justification and the need for such a policy. To that end, education should place due emphasis on the encouragement of artistic awareness, so as to create a public capable of appreciating the work of the artist. Without prejudice to the rights that should be accorded to them under copyright legislation, including resale rights (*droits de suite*) when this is not part of copyright, and under neighbouring rights legislation, artists should enjoy equitable conditions and their profession should be given the public consideration that it merits. Their conditions of work and of employment should be such as to provide opportunities for artists who so wish to devote themselves fully to their artistic activities.

6. Since freedom of expression and communication is the essential prerequisite for all artistic activities. Member States should see

that artists are unequivocally accorded the protection provided for in this respect by international and national legislation concerning human rights.

7. In view of the role of artistic activity and creation in the cultural and overall development of nations, Member States should create conditions enabling artists fully to participate, either individually or through their associations or trade unions, in the life of the communities in which they practise their art. They should associate them in the formulation of local and national cultural policies, thus stressing their important contribution in their own society as well as towards world progress in general.

8. Member States should ensure that all individuals, irrespective of race, colour, sex, language, religion, political or other opinion, national or social origin, economic status or birth, have the same opportunities to acquire and develop the skills necessary for the complete development and exercise of their artistic talents, to obtain employment, and to exercise their profession without discrimination.

#### **IV. The vocation and training of the artist**

1. Member States should encourage, at school and from an early age, all measures tending to strengthen respect for artistic creation and the discovery and development of artistic vocations, and should bear in mind that, if it is to be effective, the stimulation of artistic creativity calls for provision of the necessary professional training of talent to produce works of outstanding quality. For this purpose, Member States should:

- (a) take the necessary measures to provide an education designed to stimulate artistic talent and vocation;
- (b) take all appropriate measures, in association with artists, to ensure that education gives due prominence to the development of artistic sensitivity and so contributes to the training of a public receptive to the expression of art in all its forms;
- (c) take all appropriate measures, whenever possible, to institute or develop the teaching of particular artistic disciplines;
- (d) seek by means of incentives, such as the granting of fellowships or paid educational leave, to ensure that artists have the opportunity to bring their knowledge up to date in their own disciplines or in related specialities and fields, to improve their technical skills, to establish contacts which will stimulate creativity, and to undergo retraining so as to have access to and work in other branches of art; for these purposes, Member States should see that appropriate facilities are provided and

- that those already existing are, where necessary, improved and developed;
- (e) adopt and develop co-ordinated, comprehensive vocational guidance and training policies and programmes, taking into consideration the particular employment situation of artists and enabling them to enter other sectors of activity if necessary;
  - (f) stimulate artists' participation in the restoration, conservation and use of the cultural heritage in the widest sense of the term, and provide artists with the means of transmitting to future generations the knowledge and artistic skills which they possess;
  - (g) recognize the importance in arts and craft training of the traditional ways of transmitting knowledge and in particular of the initiation practices of various communities, and take all appropriate measures to protect and encourage them;
  - (h) recognize that art education should not be separated from the practice of living art, and see that such education is reoriented in such a way that cultural establishments, theatres, art studios, radio and television broadcasting organizations, etc., play an important part in this type of training and apprenticeship;
  - (i) give particular attention to the development of women's creativity and the encouragement of groups and organizations which seek to promote the role of women in the various branches of artistic activity;
  - (j) recognize that artistic life and the practice of the arts have an international dimension and accordingly provide those engaged in artistic activities with all the means and, in particular, travel and study grants, likely to enable them to establish lively and far-reaching contacts with other cultures;
  - (k) take all appropriate steps to promote the free international movement of artists, and not to hinder the freedom of artists to practice their art in the country of their choice, while ensuring that these do not prejudice the development of endogenous talents and the conditions of work and employment of national artists;
  - (l) give special attention to the needs of traditional artists, in particular by facilitating their travel inside and outside their own country to serve the development of local traditions.

2. As far as possible and without prejudice to the freedom and independence of both artists and educators, Member States should undertake and support initiatives to ensure that artists, during their training, are made aware of their community's cultural identity, including traditional and folk cultures, thereby contributing to the affirmation or revival of that identity and those cultures.

## V. Social status

Member States should promote and protect the status of artists by considering artistic activity, including innovation and research, as a service to the community. They should make it possible for them to enjoy the esteem necessary for the full development of their work and provide the economic safeguards to which artists are entitled as people actively engaged in cultural work. Member States should:

1. Grant artists public recognition in the form best suited to their respective cultural environments and establish a system, where it does not already exist or is inadequately designed, to give artists the prestige to which they are entitled.
2. See that the artist benefits from the rights and protection provided for in international and national legislation relating to human rights.
3. Endeavour to take the necessary steps to see that artists enjoy the same rights as are conferred on a comparable group of the active population by national and international legislation in respect of employment and living and working conditions, and see that self-employed artists enjoy, within reasonable limits, protection as regards income and social security.
4. Recognize the importance of international protection of the rights of artists under the terms of existing conventions and in particular of the Berne Convention for the Protection of Literary and Artistic Works, the Universal Copyright Convention, and the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, and take all necessary steps to extend the field of application, scope and effectiveness of those instruments particularly - in the case of Member States which have not already done so - by considering the possibility of adhering to them.
5. Recognize the right of trade union and professional organizations of artists to represent and defend the interests of their members and give them the opportunity to advise the public authorities on suitable measures for stimulating artistic activity and ensuring its protection and development.

## **VI. Employment, working and living conditions of the artist; professional and trade union organizations**

1. Being aware of the need to improve the social recognition of artists by according them the moral and material support required to remedy their difficulties, Member States are invited to:
  - (a) consider measures for supporting artists at the beginning of their careers, in particular during the initial period when they are attempting to devote themselves completely to their art;
  - (b) promote the employment of artists in their own disciplines, particularly by devoting a proportion of public expenditure to artistic works;
  - (c) promote artistic activities within the context of development and stimulate public and private demand for the fruits of artistic activity in order to increase opportunities of paid work for artists, *inter alia* by means of subsidies to art institutions, commissions to individual artists, or the organization of artistic events at the local, region or national levels, and by establishing art funds;
  - (d) identify remunerative posts which could be given to artists without prejudice to their creativity, vocation and freedom of expression and communication, and in particular:
    - (i) give artists opportunities in the relevant categories of the educational and social services systems at national and local levels and in libraries, museums, academies and other public institutions;
    - (ii) increase the participation of poets and writers in the overall effort towards the translation of foreign literature;
  - (e) encourage the development of the necessary facilities (museums, concert halls, theatres and other forums) conducive to fostering the dissemination of the arts and the meeting of artists with the public;
  - (f) study the possibility of establishing, within the framework of employment policies or public employment services, effective machinery to assist artists to find jobs and that of adhering to the Fee-Charging Employment Agencies Convention (revised) (N° 96) of the International Labour Organization, which is listed in the appendix to this Recommendation.
  
2. Within the context of a general policy to encourage artistic creativity, cultural development and the promotion and improvement of conditions of employment, Member States are invited, wherever possible, practical and in the interest of the artist, to:
  - (a) encourage and facilitate the application of the standards adopted for various groups of the active population to artists,

- and ensure that they enjoy all the rights accorded to the corresponding groups in respect of working conditions;
- (b) seek means of extending to artists the legal protection concerning conditions of work and employment defined by the standards of the International Labour Organization, in particular the standards relating to:
    - (i) hours of work, weekly rest and paid leave in all fields of activities, more particularly, in the case of performers, taking into consideration the hours spent in travelling and rehearsal as well as those spent in public performance or appearances;
    - (ii) protection of life, health and the working environment;
  - (c) take into consideration the particular problems of artists, in respect of the premises where they work, while at the same time ensuring the preservation of the architectural heritage and the environment and upholding regulations pertaining to safety and health, when administering regulations relative to the alteration of artists' premises where this is in the interests of artistic activity;
  - (d) make provision when necessary for appropriate forms of compensation for artists, preferably in consultation with organizations representing artists and their employers, when, for reasons connected with the nature of the artistic activity undertaken or the artists' employment status, the standards relating to the matters referred to in paragraph 2(b)(i) of this section cannot be observed;
  - (e) recognize that profit-sharing systems, in the form of deferred salaries or shares in the profits of production, may prejudice artists' rights *vis-à-vis* their real incomes and social security entitlement and take appropriate measures in such cases to preserve these rights;

3. With the object of giving specific consideration to the child artist, Member States are invited to take account of the provisions of the United Nations Declaration of the Rights of the Child.

4. Recognizing the part played by professional and trade union organizations in the protection of employment and working conditions, Member States are invited to take appropriate steps to:

- (a) observe and secure observance of the standards relating to freedom of association, to the right to organize and to collective bargaining, set forth in the international labour conventions listed in the appendix to this Recommendation and ensure that these standards and the general principles on which they are founded may apply to artists;

- (b) encourage the free establishment of such organizations in disciplines where they do not yet exist;
- (c) provide opportunities for all such organizations, national or international, without prejudice to the right of freedom of association, to carry out their role to the full.

5. Member States are invited to endeavour within their respective cultural environments to provide the same social protection for employed and self-employed artists as that usually granted respectively to other employed and self-employed groups. Provision should likewise be made for measures to extend appropriate social protection to dependent members of the family. The social security system which Member States may find it well to adopt, improve or supplement should take into consideration the special features of artistic activity, characterized by the intermittent nature of employment and the sharp variations in the incomes of many artists without, however, this entailing a limitation of the artist's freedom to create, publish and disseminate his work. In this context, Member States are invited to consider the adoption of special means of financing social security for artists, for example by resorting to new forms of financial participation either by the public authorities or by the business undertakings which market or which use the services or works of artists.

6. Recognizing in general that national and international legislation concerning the status of artists is lagging behind the general advances in technology, the development of the media of mass communication, the means of mechanical reproduction of works of art and of performances, the education of the public, and the decisive part played by the cultural industries, Member States are invited to take, wherever necessary, appropriate measures to:

- (a) ensure that the artist is remunerated for the distribution and commercial exploitation of his work, and provide for the artist to maintain control of his work against unauthorized exploitation, modification or distribution;
- (b) provide, to the extent possible, for a system guaranteeing the exclusive moral and material rights of artists in respect of any prejudice connected with the technical development of new communication and reproduction media, and of cultural industries; this means, in particular, establishing rights for performers, including circus and variety artists, and puppeteers; in doing so, it would be appropriate to take account of the provisions of the Rome Convention and, with reference to problems arising from the introduction of cable diffusion and videograms, of the Recommendation adopted by the Intergovernmental Committee of the Rome Convention in 1979;

- (c) compensate any prejudice artists might suffer in consequence of the technical development of new communication and reproduction media and of cultural industries by favouring, for example, publicity for and dissemination of their works, and the creation of posts;
  - (d) ensure that cultural industries benefiting from technological changes, including radio and television organizations and mechanical reproduction undertakings, play their part in the effort to encourage and stimulate artistic creation, for instance by providing new employment opportunities, by publicity, by the dissemination of works, payment of royalties or by any other means judged equitable for artists;
  - (e) assist artists and organizations of artists to remedy, when they exist, the prejudicial effects on their employment or work opportunities of new technologies.
7. (a) Convinced of the uncertainty of artists' incomes and their sudden fluctuations, of the special features of artistic activity and of the fact that many artistic callings can be followed only for a relatively short period of life, Member States are invited to make provision for pension rights for certain categories of artists according to length of career and not the attainment of a certain age and to take into account in their taxation system the particular conditions of artists' work and activity;
- (b) in order to preserve the health and prolong the professional activity of certain categories of artists (for example ballet dancers, dancers, vocalists) Member States are invited to provide them with adequate medical care not only in the event of incapacity for work but also for the purpose of preventing illness, and to consider the possibility of researching into the health problems peculiar to artistic professions;
- (c) taking into account the fact that a work of art should be considered neither as a consumer good nor as an investment, Member States are invited to consider the possibility of alleviating indirect taxation on works of art and on artistic performances at the time of their creation, dissemination or first sale, and this in the interest of artists or of development of the arts.
8. In view of the growing importance of international exchanges of works of art, and contacts between artists, and the need to encourage them, Member States separately or collectively, without prejudice to the development of national cultures, are invited to:
- (a) assist freer circulation of such works by, *inter alia*, flexible customs arrangements and concessions in relation to import duties, particularly as regards temporary importation;



- (b) take measures to encourage international travel and exchange by artists, giving due attention to visiting national artists.

## **VII. Cultural policies and participation**

Member States should endeavour, in accordance with paragraphs III.7 and V.5 of this Recommendation, to take appropriate measures to have the opinions of artists and the professional and trade union organizations representing them, as well as of the people at large, in the spirit of UNESCO's Recommendation on Participation by the People at Large in Cultural Life and their Contribution to It, taken carefully into account in the formulation and execution of their cultural policies. To this end, they are invited to make the necessary arrangements for artists and their organizations to participate in discussions, decision-making processes and the subsequent implementation of measures aimed, *inter alia*, at:

- (a) the enhancement of the status of artists in society, for example measures relating to the employment and working and living conditions of the artist, to the provision of material and moral support for artistic activities by the public authorities, and to the professional training of the artist;
- (b) the promotion of culture and art within the community, for example measures relating to cultural development, to the protection and effective presentation of the cultural heritage, including folklore and the other activities of traditional artists, to cultural identity, to relevant aspects of environmental issues and the use of leisure, and to the place of culture and art in education;
- (c) the encouragement of international cultural co-operation, for example measures relating to the dissemination and translation of works, to the exchange of works and of persons, and to the organization of regional or international cultural events.

## **VIII. Utilization and implementation of this Recommendation**

1. Member States should strive to extend and supplement their own action in respect of the status of the artist by co-operating with all the national or international organizations whose activities are related to the objectives of this Recommendation, in particular with National Commissions for UNESCO, national and international artists' organizations, the International Labour Office and the World Intellectual Property Organization.

2. Member States should, by the most appropriate means, support the work of the above-mentioned bodies representing artists and enlist their professional co-operation to enable artists to benefit

from the provisions set forth in this Recommendation and to obtain recognition of the status described herein.

### **IX. Existing advantages**

Where artists enjoy, in certain respects, a status which is more favourable than that provided for in this Recommendation, its terms shall not in any case be invoked to diminish the advantages already acquired or directly or indirectly to affect them.

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## **ANNEX**

### **A. Universal Declaration of Human Rights**

#### *Article 22*

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

#### *Article 23*

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

#### *Article 24*

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

*Article 25*

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

*Article 27*

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

*Article 28*

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

**B. International Covenant on Economic, Social  
and Cultural Rights**

*Article 6*

- (1) The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.
- (2) The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

### *Article 15*

- (1) The State Parties to the present Covenant recognize the right of everyone:
  - (a) To take part in cultural life;
  - (b) To enjoy the benefits of scientific progress and its applications;
  - (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.
- (2) The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.
- (3) The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.
- (4) The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

## **C. Declaration of the Principles of International Cultural Co-operation**

### *Article III*

International cultural co-operation shall cover all aspects of intellectual and creative activities relating to education, science and culture.

### *Article IV*

The aims of international cultural co-operation in its various forms, bilateral or multilateral, regional or universal, shall be:

- (1) To spread knowledge, to stimulate talent and to enrich cultures;
- (2) To develop peaceful relations and friendship among the peoples and bring about a better understanding of each other's way of life;
- (3) To contribute to the application of the principles set out in the United Nations Declarations that are recalled in the Preamble to this Declaration;

- (4) To enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life;
- (5) To raise the level of the spiritual and material life of man in all parts of the world.

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## Appendix

International instruments and other texts concerning workers in general or artists in particular

- A. Recommendation on Participation by the People at Large in cultural Life and their contribution to It**, adopted by the General Conference at its nineteenth session (UNESCO, Nairobi, 26 November 1976)
- B. United Nations International Covenant on Civil and Political Rights** (United Nations, New York, 16 December 1966)
- C. United Nations Declaration on the Rights of the Child** (United Nations, New York, 20 November 1959)
- D. Conventions and Recommendations adopted by the International Labour Conference of the International Labour Organization**
  1. Instruments applicable to all workers, including artists:  
Freedom of Association and Protection of the Right to Organize Convention (N° 87), 1948;  
Right to Organize and Collective Bargaining Convention (N° 98), 1949;  
Discrimination (Employment and Occupation) Convention (N° 111), 1958.
  2. Instruments on social security with a general application but allowing States to limit their scope of application:  
Social Security (Minimum Standards) Convention (N° 102), 1952;  
Maternity Protection Convention (Revised) (N° 103), 1952;  
Equality of Treatment (Social Security) Convention (N° 118), 1962;  
Employment Injury Benefits Convention (N° 121), 1964;

Invalidity, Old-Age and Survivors' Benefits Convention (N° 128), 1967;

Medical Care and Sickness Benefits Convention (N° 130), 1969.

3. Instruments applicable to employed workers in general, or to certain sectors or categories of workers, and applicable in principle to employed artists (subject in certain cases to a limitation of the scope of the convention by a State at the time of ratification):
  - (a) *Employment and human resources development*: Employment Service Convention (N° 88), 1948; Employment Service Recommendation (N° 83), 1948; Fee-Charging Employment Agencies Convention (Revised) (N° 96), 1949;  
Employment Policy Convention (N° 122), 1964; Employment Policy Recommendation (N° 122), 1964; Human Resources Development Convention (N° 142), 1975; Human Resources Development Recommendation (N° 150), 1975.
  - (b) *Industrial relations*: Collective Agreements Recommendation (N° 91), 1951; Voluntary Conciliation and Arbitration Recommendation (N° 92), 1951; Co-operation at the Level of the Undertaking Recommendation (N° 94), 1952; Consultation (Industrial and National Levels) Recommendation (N° 113), 1960; Communications within the Undertaking Recommendation (N° 129), 1967; Examination of Grievances Recommendation (N° 130), 1967.
  - (c) *Conditions of work*: Protection of Wages Convention (N° 95), 1949; Equal Remuneration Recommendation (N° 100), 1951; Equal Remuneration Recommendation (N° 90), 1951; Termination of Employment Recommendation (N° 119), 1963; Reduction of Hours of Work Recommendation (N° 116), 1962; Weekly Rest (Commerce and Offices) Convention (N° 106), 1957; Holidays with Pay Convention (Revised) (N° 132), 1970; Paid Educational Leave Convention (N° 140), 1974; Paid Educational Leave Recommendation (N° 148), 1974; Medical Examination of Young Persons (Non-Industrial Occupations) Convention (N° 78), 1946; Medical Examination of Young Persons Recommendation (N° 79), 1946; Night Work of Young Persons (Non-Industrial Occupations) Convention (N° 79), 1946; Night Work of Young Persons (Non-Industrial Occupations) Recommendation (N° 80), 1946; Labour Inspection Convention (N° 81), 1947; Labour Inspection Recommendation (N° 81), 1947; Protection of Workers' Health Recommendation (N° 97), 1953; Occupational Health Services Recommendation (N° 112), 1959; Hygiene (Commerce and Offices) Convention (N° 120), 1964; Occupational Cancer Convention (N° 139), 1974; Occupational Can-

- cer Recommendation (N° 147), 1974; Working Environment (Air Pollution, Noise and Vibration) Convention (N° 148), 1977; Working Environment (Air Pollution, Noise and Vibration) Recommendation (N° 156), 1977; Minimum Age Convention (N° 138), 1973.
- (d) *Migrant workers*: Migration for Employment Convention (Revised) (N° 97), 1949; Migration for Employment Recommendation (N° 86), 1949; Migrant Workers (Supplementary Provisions) Convention (N° 143), 1975.

**E. International Labour Organization/United Nations Educational, Scientific and Cultural Organization/World Intellectual Property Organization**

- The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (1961).
- The Model Law on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (1974).
- Recommendation concerning the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, adopted by the Intergovernmental Committee of the Rome Convention at its seventh session (1979).

**F. Copyright Conventions administered by the United Nations Educational, Scientific and Cultural Organization and the World Intellectual Property Organization**

- Universal Copyright Convention (United Nations Educational, Scientific and Cultural Organization) (1952, revised in 1971).
- Berne Convention for the Protection of Literary and Artistic Works (World Intellectual Property Organization) (1971).

**(D) LIST OF OTHER STANDARD-SETTING  
INSTRUMENTS RELATED TO HUMAN RIGHTS ISSUES  
AND HUMANITARIAN LAW**

1. The Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character (the « Beirut Agreement »), adopted on 10 December 1948 and entered into force on 12 August 1954.
2. The Agreement on the Importation of Educational, Scientific and Cultural Materials (the « Florence Agreement »), adopted on 17 June 1950 and entered into force on 21 May 1952.<sup>1</sup>
3. The Universal Copyright Convention, adopted on 6 September 1952 and entered into force on 16 September 1965.
4. The Convention for the Protection of Cultural Property in the Event of armed Conflict (the « Hague Convention »), adopted on 14 May 1954 and entered into force on 7 August 1956 (see Introduction).
5. The Convention concerning the Exchange of Official Publications and Government Documents between States, adopted on 3 December 1958 and entered into force on 30 May 1961 (see Introduction).
6. The Convention concerning the International Exchange of Publications, adopted on 3 December 1958 and entered into force on 23 November 1961 (see Introduction).
7. The Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone, adopted on 14 December 1960 (see Introduction).
8. The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting organisations (the « Rome Convention »), adopted on 26 October 1961 and entered into force on 18 May 1964.

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<sup>1</sup> This agreement links the Contracting States to grant the necessary licences for the importation of books and materials consigned to public libraries, educational institutions, etc. It also binds the States to take special measures to ensure foreign exchange for the importation in order to promote cultural interest of the blind (Article II);



9. The Declaration of the Principles of International Cultural Co-operation, adopted on 4 November 1966.
10. The Convention (and the Recommendation of 19 November 1964) on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted on 14 November 1970 and entered into force on 24 April 1972<sup>2</sup>.
11. The Universal Copyright Convention as revised at Paris on 24 July 1971, adopted 24 July 1971 and entered into force on 10 July 1974.
12. The Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of Their Phonograms, adopted on 29 October 1971 and entered into force on 18 April 1973.
13. The Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education, and Greater Cultural Exchange, adopted on 15 November 1972.
14. The Convention (and the Recommendation concerning the Protection, at National Level, of the Cultural and National Heritage) concerning the Protection of the World Cultural and Natural Heritage, adopted on 16 November 1972, and entered into force on 17 December 1976<sup>3</sup>.

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<sup>2</sup> The Recommendation and Convention also serve the same aims in times of peace and are aimed mainly at the protection of countries from the plunder of their cultural heritage.

<sup>3</sup> This Convention considers « ... that, in a society where living conditions are changing at an accelerated pace, it is essential for man's equilibrium and development to preserve for him a fitting setting in which to live, where he will remain in contact with nature and the evidences of civilization bequeathed by past generations, and that, to this end, it is appropriate to give the cultural and natural heritage an active function in community life and to integrate into an overall policy the achievements of our time, the values of the past and the beauty of nature ... and, that every country in whose territory there are components of the cultural and natural heritage has an obligation to safeguard this part of mankind's heritage and to ensure that it is handed down to future generations.

15. The Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas, adopted 26 November 1976<sup>4</sup>.

16. The Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War, adopted on 28 November 1978.

17. The Recommendation for the Protection of Movable Cultural Property, adopted on 28 November 1978.

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<sup>4</sup> This Recommendation discusses human rights related issues in its preamble and its Article 4 contains a special provision aimed at the protection of the poorest inhabitants;

## **II**

**FINAL DOCUMENTS OF SELECTED MEETINGS  
RELATED TO HUMAN RIGHTS ORGANIZED OR  
CO-ORGANIZED BY UNESCO: DECLARATIONS,  
RECOMMENDATIONS, STATEMENTS, ETC.  
(in chronological order)**

**PRINCIPLES OF THE INTERNATIONAL CONGRESS ON  
THE TEACHING OF HUMAN RIGHTS, VIENNA,  
AUSTRIA, 1978**

The International Congress on the Teaching of Human Rights, convened by the Director-General of UNESCO and meeting in Vienna from 12 to 16 September 1978 following a suggestion put forward by the Federal Minister for Foreign Affairs of Austria at the 19th session of the General Conference of UNESCO,

*Taking into account* Resolution 3 (XXXIII) adopted by the Commission on Human Rights and Resolution 32/123 adopted by the United Nations General Assembly, as well as Decision 103 EX/6.2 by which the Executive Board of UNESCO invited the Director-General to convene this Congress,

*Expresses its gratitude* to the Federal Government and to the people of the Republic of Austria for their hospitality and their important contribution to the success of the deliberations,

*Recalling* that the United Nations General Assembly proclaimed the Universal Declaration of Human Rights «as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms ...»,

*Considering* that human rights teaching and education should be developed at all levels in the context of both school and out-of-school education, in order that they may become accessible as part of a true system of life-long education to all men and women in all countries, whatever their legal, social and political status,

*Considering* that such teaching and education can make an essential contribution to the maintenance and promotion of peace, as well as to economic development and social progress throughout the world,

*Considering* that the teaching of human rights should also be concerned with securing the observance of human rights in cases of armed conflict, and should include the teaching of international humanitarian law,

# I

The International Congress on the Teaching of Human Rights,

*Recalling* the Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms,  
*Believes* that the teaching of human rights should be guided by the following principles and considerations:

1. Human rights education and teaching should be based on the principles which underlie the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, and other international human rights instruments. Consequently, equal emphasis should be placed on economic, social, cultural, civil and political rights as well as individual and collective rights. The indivisibility of all human rights should be recognized.
2. The concept of human rights should not be formulated in traditional or classical terms but should include the historical experience and contributions of all peoples particularly in relation to the major contemporary problems such as self-determination and all forms of discrimination and exploitation.
3. Human rights education and teaching must aim at :
  - (i) Fostering the attitudes of tolerance, respect and solidarity inherent in human rights ;
  - (ii) Providing knowledge about human rights, in both their national and international dimensions, and the institutions established for their implementation ;
  - (iii) Developing the individual's awareness of the ways and means by which human rights can be translated into social and political reality at both the national and the international levels.
4. While education should make the individual aware of his or her own rights, it should at the same time instil respect for the rights of others.

5. Care should be constantly taken to create awareness about the close relationship between human rights, on the one hand, and development and peace, including inter alia disarmament, on the other hand. UNESCO should make it a priority task to promote the analysis and understanding of this relationship.
6. Human rights must be seen as an aspect of professional, ethical and social responsibility in all fields of research, study, teaching and work.
7. Human rights education and teaching should stress that a new international economic, social and cultural order is essential to enable all people to enjoy their human rights and to promote and facilitate education on human rights at all levels in all countries.
8. Human rights must be taught at all levels of the educational system, as well as in out-of-school settings, including the family, and in continuing education programmes, including literacy and post-literacy programmes. States shall strive to improve and broaden human rights education and teaching and co-operate to this end.
9. It is not enough to dispense teaching and education in the spirit of a respect for human rights ; human rights should also be taught as a subject integrated in the appropriate disciplines and in particular fields such as philosophy, political science, law and theology, they should be taught as an independent course.
10. In order for the teacher of human rights to be able to carry out his or her task properly, it is particularly important that his or her personal integrity and freedom of expression be guaranteed.

## II

The Vienna International Congress on the Teaching of Human Rights,

*Considering* that in this year of the 30th anniversary of the Universal Declaration of Human Rights a fresh impetus should be given to the development of human rights teaching and education through the preparation of a *Six-Year Plan* to be drawn up by a committee of experts set up for that purpose on the basis, in particular, of recommendations proposed at this Inter-

national Congress in Vienna and annexed to this final document ;

*Requests* the Director-General to include the question of the teaching of human rights in the agenda for the 20th session of the General Conference with a view to conducting a preliminary study of the question of the desirability of preparing a UNESCO *Convention on human rights teaching and education*, in order to give effect to the principle set out in Article 26, paragraph 2 of the Universal Declaration of Human Rights which states that «education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms».

*Requests* the Director-General to ask the Member States to consider the possibility of establishing, within the framework of UNESCO's programme and with the support of the United Nations General Assembly, a *Voluntary Fund for the development of knowledge of human rights through education and information*, the primary aim of which would be to contribute to the financing of activities conducted under the Six-Year Plan and of other activities conducted by Member States and their competent institutions.

## SEVILLE STATEMENT ON VIOLENCE, SPAIN, 1986<sup>1</sup>

Believing that it is our responsibility to address from our particular disciplines the most dangerous and destructive activities of our species, violence and war; recognizing that science is a human cultural product which cannot be definitive or all-encompassing; and gratefully acknowledging the support of the authorities of Seville and representatives of the Spanish UNESCO; we, the undersigned scholars from around the world and from relevant sciences, have met and arrived at the following Statement on Violence. In it, we challenge a number of alleged biological findings that have been used, even by some in our disciplines, to justify violence and war. Because the alleged findings have contributed to an atmosphere of pessimism in our time, we submit that the open, considered rejection of these mis-statements can contribute significantly to the International Year of Peace.

Misuse of scientific theories and data to justify violence and war is not new but has been made since the advent of modern science. For example, the theory of evolution has been used to justify not only war, but also genocide, colonialism, and suppression of the weak.

We state our position in the form of five propositions. We are aware that there are many other issues about violence and war that could be fruitfully addressed from the standpoint of our disciplines, but we restrict ourselves here to what we consider a most important first step.

**IT IS SCIENTIFICALLY INCORRECT** to say that we have inherited a tendency to make war from our animal ancestors. Although fighting occurs widely throughout animal species, only a few cases of destructive intra-species fighting between organized groups have ever been reported among naturally living species, and none of these involve the use of tools designed to be weapons. Normal predatory feeding upon other species cannot be equated with intra-species violence. Warfare is a peculiarly human phenomenon and does not occur in other animals.

The fact that warfare has changed so radically over time indicates that it is a product of culture. Its biological connection is primarily through language which makes possible the co-ordination of groups, the transmission of technology, and the use of tools. War is biologically possible, but it is not inevitable, as evidenced by its

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<sup>1</sup> Subsequently adopted by UNESCO at the twenty-fifth session of the General Conference on 16 November 1989.



variation in occurrence and nature over time and space. There are cultures which have not engaged in war for centuries, and there are cultures which have engaged in war frequently at some times and not at others.

**IT IS SCIENTIFICALLY INCORRECT** to say that war or any other violent behaviour is genetically programmed into our human nature. While genes are involved at all levels of nervous system function, they provide a developmental potential that can be actualized only in conjunction with the ecological and social environment. While individuals vary in their predispositions to be affected by their experience, it is the interaction between their genetic endowment and conditions of nurturance that determines their personalities. Except for rare pathologies, the genes do not produce individuals necessarily predisposed to violence. Neither do they determine the opposite. While genes are co-involved in establishing our behavioural capacities, they do not by themselves specify the outcome.

**IT IS SCIENTIFICALLY INCORRECT** to say that in the course of human evolution there has been a selection for aggressive behaviour more than for other kinds of behaviour. In all well-studied species, status within the group is achieved by the ability to cooperate and to fulfil social functions relevant to the structure of that group. 'Dominance' involves social bondings and affiliations; it is not simply a matter of the possession and use of superior physical power, although it does involve aggressive behaviours. Where genetic selection for aggressive behaviour has been artificially instituted in animals, it has rapidly succeeded in producing hyper-aggressive individuals; this indicates that aggression was not maximally selected under natural conditions. When such experimentally-created hyper-aggressive animals are present in a social group, they either disrupt its social structure or are driven out. Violence is neither in our evolutionary legacy nor in our genes.

**IT IS SCIENTIFICALLY INCORRECT** to say that humans have a 'violent brain'. While we do have the neural apparatus to act violently, it is not automatically activated by internal or external stimuli. Like higher primates and unlike other animals, our higher neural processes filter such stimuli before they can be acted upon. How we act is shaped by how we have been conditioned and socialized. There is nothing in our neurophysiology that compels us to react violently.

**IT IS SCIENTIFICALLY INCORRECT** to say that war is caused by 'instinct' or any single motivation. The emergence of modern

warfare has been a journey from the primacy of emotional and motivational factors, sometimes called 'instincts', to the primacy of cognitive factors. Modern war involves institutional use of personal characteristics such as obedience, suggestibility, and idealism, social skills such as language, and rational considerations such as cost-calculation, planning, and information processing. The technology of modern war has exaggerated traits associated with violence both in the training of actual combatants and in the preparation of support for war in the general population. As a result of this exaggeration, such traits are often mistaken to be the causes rather than the consequences of the process.

We conclude that biology does not condemn humanity to war, and that humanity can be freed from the bondage of biological pessimism and empowered with confidence to undertake the transformative tasks needed in this International Year of Peace and in the years to come. Although these tasks are mainly institutional and collective, they also rest upon the consciousness of individual participants for whom pessimism and optimism are crucial factors. Just as 'wars begin in the minds of men', peace also begins in our minds. The same species who invented war is capable of inventing peace. The responsibility lies with each of us.

Seville, 16 May 1986

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**MALTA RECOMMENDATIONS ON HUMAN RIGHTS  
TEACHING, INFORMATION AND  
DOCUMENTATION, 1987**

The International Congress on Human Rights Teaching, Information and Documentation, meeting in Malta from 31 August to 5 September 1987,

1. Aims and Objectives of Human Rights Teaching

*Recalling* the obligation incumbent upon Member States to promote human rights education,

*Noting* the need for long-term and concerted efforts to increase awareness and to ensure implementation of the responsibilities incumbent upon Member States in order to achieve through education the aims set forth in the Charter of the United Nations, the Constitution of UNESCO and other documents, in order to promote further international understanding and respect for human rights and fundamental freedoms.

*Mindful* of the need for UNESCO not only to continue its present efforts for human rights education but to increase these efforts, with the necessary financial resources,

*Considering* the progress that has been made in the field of human rights education during the past decade, in particular since the Vienna Congress (1978),

*Recalling* the provisions of Article 13 (1) of the International Covenant on Economic, Social and Cultural Rights, and Article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination,

1.1 *Recommends* that the Director-General draw the attention of Member States to the necessity of continuing, as far as possible, to establish a complete system of human rights teaching and education available to all citizens and all population groups and covering all levels of education, with the broad participation of the various public organizations and the media;

1.2 *Recommends* that UNESCO invite all Member States to issue a statement calling for the intensification of efforts to develop human rights teaching and education in primary and secondary schools, colleges and universities, and in non-formal

education and adult education systems in the various countries;

- 1.3 *Recommends* that UNESCO, in its periodic reports to the Expert Committee on the International Covenant on Economic, Social and Cultural Rights, and to the Committee on the Elimination of Racial Discrimination (CERD), draw the attention of Member States to the obligation to provide human rights education as required by Article 13 (1) of the said Covenant and Article 7 of the aforementioned Convention and in particular to the efforts States Parties have made to include human rights teaching in the school and university curriculum;
- 1.4 *Recommends* that the Director-General of UNESCO update the study on the advisability of preparing a convention on education and teaching in the field of human rights;
- 1.5 *Recommends* that UNESCO address to the United Nations General Assembly a proposal, based on a study (*For a World Decade for the Promotion of Human Rights Education*), and further *recommends* that the Director-General of UNESCO transmit to the United Nations General Assembly the proposal that 1989, the bicentenary of the Declaration of the Rights of Man and of the Citizen, be proclaimed International Year of Human Rights Teaching and Education;
- 1.6 *Recommends* that the Director-General draw the attention of Member States to their international obligation under the Universal Declaration of Human Rights and the International Covenants to provide for the teaching and dissemination of knowledge of human rights and to create material conditions for adequate teaching at all levels of schools and universities as well as in adult education;
- 1.7 *Recommends* that the Director-General highlight, in accordance with his report to the Executive Board of UNESCO (126 EX/16), the relationship to be established between education for Human rights and fundamental freedoms on the one hand, and education for peace and international understanding on the other;
- 1.8 *Recommends* that the Director-General draw the attention of Member States to the preparation of educational programmes for the promotion and defence of human rights and against all forms of racism, and to the question of the struggle against apartheid;

## 2. Contents and programmes

*Recalling* that education relating to human rights and fundamental freedoms is an integral part of international education, in accordance with the 1974 Recommendation of UNESCO,

*Taking note* of the reports submitted to this Congress on the situation of human rights teaching in various regions of the world, and in particular on a tendency in various countries for citizens' duties to be given precedence over their rights,

- 2.1 *Recommends* that the Director-General co-operate with Member States in the development of programmes of human rights teaching and education within the framework of formal and non-formal systems of education, duly taking into account: age; training level; professional orientation of the students, the most important international instruments in the field of human rights; national and regional systems concerning human rights; the experience of different countries in solving socio-economic, political, legal and other problems in order to ensure the effective exercise of human rights and fundamental freedoms, bearing in mind that the contribution of various cultures and regions is important in this respect;
- 2.2 *Recommends* that the Director-General encourage the inclusion of human rights teaching at all levels of formal education taking into account the following characteristics which these programmes should display: education in human rights and for human rights (in particular through access to knowledge, school life, school and out-of-school educational activities), matching programmes or specific methodologies for their implementation, giving them a pluridisciplinary character, taking into account the multi-ethnic and pluri-cultural character of societies, stressing the interrelationships between rights of peoples and human rights, as they are defined in existing universal international instruments, international humanitarian law and refugee law; and that human rights education should be provided to civil servants working in the various branches of public administration, and should be integrated into literacy programmes and into special education programmes for handicapped persons;
- 2.3 *Recommends* that the Director-General of UNESCO assist Member States in developing new educational methods and materials which emphasize the interrelationship between

Human rights teaching and the other major problems of mankind as mentioned in para. 18 of the 1974 Recommendation, with a view to strengthening human rights education;

- 2.4 *Recommends* that the Director-General of UNESCO and international NGOs assist Member States in taking appropriate measures in order to stimulate those responsible for the development of teacher training programmes and in order to improve the dissemination of knowledge on existing international instruments in this field;
- 2.5 *Recommends* that Member States and NGOs intensify their efforts to develop methods and materials for human rights teaching that take account of both consensus and conflict on contemporary human rights issues, and present information on the reasons - despite the undisputed validity of existing international instruments - why human rights issues are understood differently according to different social and cultural contexts; in particular, information on the mechanisms for setting standards in the United Nations system, as well as information on different political attitudes that the term human rights implies in various countries, should be considered an integral part of human rights teaching;
- 2.6 *Further recommends* that the Director-General of UNESCO, in view of Article I of UNESCO's Constitution, seeks further opportunities for fostering co-operation with Member States in this field, and considers human rights teaching as an area for giving fresh impetus to community education in UNESCO's Member States;
- 2.7 *Recommends* that UNESCO support and encourage intensive and systematic education on the procedural aspects or the implementation of the International Covenants and Conventions on Human Rights, both in formal and non-formal education;

### 3. Forms, methods and teaching materials

*Considering* the prominent role of UNESCO's Associated Schools project in the implementation of the 1974 Recommendation on International Education,

*Appreciating* the innovative function of the Associated Schools and of UNESCO Clubs and Associations in many Member States,

*Considering* the fundamental role of the family as an educating agent for the individual,

*Considering* that the family is the special context in which human rights are first perceived,

*Considering* that the rights of children must be recognized,

3.1 *Recommends* that the Director-General of UNESCO, its Member States and NGOs, encourage the Associated Schools and the UNESCO Clubs and Associations:

(a) to develop further pilot projects in the field of human rights education, and to make their experience available to others;

(b) to multiply their efforts in inter-school co-operation, at national, regional and interregional levels, with a view to experimenting with exchanges and to discussing teaching/learning materials, in order to make both teachers and students aware of approaches to human rights issues that may exist in other countries;

3.2 *Recommends* to the Director-General that the primary educational role of the family should be reaffirmed, both in formal and non-formal education, and that particular attention be given to human rights education within the family, and to the education of parents, increasing co-operation with competent non-governmental organizations in order to train parents to transmit knowledge of human rights to their children by ensuring that the latter understand, respect and put into practice these rights;

3.3 *Recommends* that the Director-General promote the training in human rights of professionals, particularly those concerned by human rights, such as magistrates, doctors, nurses, police officers, journalists, those in positions of responsibility in the armed forces, personnel of refugee camps, frontier guards, etc., through their national and international organizations, and promote the cause of human rights with senior executives of the mass media;



- 3.4 *Recommends* that the Director-General circulate the reports prepared for the Malta Congress to Member States and NGOs, with a view to encouraging the possibility of adapting the methods and strategies elaborated in these reports;
- 3.5 *Further recommends* that the Director-General bear in mind the proposals made in these reports on UNESCO ' s activities aimed at developing methods and strategies for human rights teaching;
- 3.6 *Recommends* that the Director-General ensure the updating, reprinting and dissemination of human rights teaching and training materials published by UNESCO for use at various levels of formal and non-formal education ( for example Human Rights: Questions and Answers and the bulletin Human Rights Teaching), and *further recommends* that the Director-General disseminate these publications in as many countries as possible;
- 3.7 *Recommends* that the Director-General promote the teaching of non-violent alternatives and strategies for the peaceful resolution of conflicts, and encourage the drawing up of history and civics programmes and manuals in a human rights perspective, with a view to promoting the responsibility of citizens, respect and co-operation among peoples of the same region and among the peoples of the world; and that the elimination of all racial discrimination from all textbooks should be called for;
4. Teacher training and protection of teachers and other educators in the field of human rights education

*Stressing* the need to protect the individual who teaches human rights against discrimination, harassment, dismissal or other interference because of this teaching,

*Noting* the existence of both national and international procedures which afford some protection in this respect,

*Recognizing* the importance of the effective guarantee of the fundamental rights of teachers at all levels, both as human beings and as members of a profession responsible for disseminating knowledge of and respect for human rights in schools and universities,

*Recognizing further* that academic freedom cannot be exercised if citizens are deprived of their fundamental rights,

*Noting* the existence of international associations engaged in human rights education,

- 4.1 *Recommends* that the Director-General attach particular importance to the training of teachers and other educators who will be responsible for, or who will have the opportunity of, teaching human rights, as well as to the in-service training of practising teachers, through training sessions, conferences, study tours, etc.;
- 4.2 *Further recommends* that the Director-General invite competent ministries, teachers' associations, heads of schools, specialized institutes and non-governmental organizations to prepare all teachers for human rights teaching and education;
- 4.3 *Recommends* that the Director-General study:
  - (a) ways and means to improve the protection of such individuals in their teaching through strengthening procedures at the national and international levels;
  - (b) the possibility of extending guarantees to the personnel of higher education (not covered by the UNESCO/ILO Recommendation (1966) concerning the Status of Teachers and the UNESCO Recommendation (1974) on the Status of Scientific Researchers) as quickly as possible;
- 4.4 *Recommends* that the Director-General encourage educational activities which might promote the ratification by Member States of the International Covenants on Human Rights and the Optional Protocol;
- 4.5 *Further recommends* that the Director-General invite Member States to respect the provisions concerning the academic freedom of teachers at all levels in all international instruments;
- 4.6 *Recommends* that the Director-General support associations which can protect the freedom and the physical and moral integrity of their members;
5. Research on human rights education

*Considering* this era as being one of wide-ranging scientific and technological revolution,

- 5.1 *Recommends* that the Director-General take steps to promote the study of the methods of human rights teaching and education and of solutions to difficulties encountered in this field as well as in the training of teachers and educators; call a meeting of experts to discuss problems involving teaching methods; encourage comparative research on the methods of human rights education;
- 5.2 *Recommends* that the Director-General effectively support, particularly from the material point of view, training institutes and centres specializing in human rights research or teaching, particularly those striving to develop a pluridisciplinary approach and corresponding to the expectations of students, teachers and other professions or officials of various associations, and encourage exchanges between researchers and educators;

*Recommends* that the Director-General encourage Member States, non-governmental organizations and teaching and research institutions to take an interest in problems linked to the development of the relations between science and technology on the one hand and respect for human rights on the other;

6. International co-operation and role of non-governmental organizations

*Taking into account* the essential universality of human rights,  
*Taking note* of the information made available by a large number of expert meetings and seminars on human rights teaching, information and documentation that have been held as a follow-up to the 1978 International Congress in Vienna,

*Recognizing* the crucial role of non-governmental organizations, at national, regional and international levels, in human rights education,

- 6.1 *Recommends* that the Director-General play an active role in arranging and facilitating a full exchange of material, information and experience among Member States and also teacher and student exchanges whenever possible;
- 6.2 *Recommends* to the Director-General that a fellowship scheme be established by UNESCO in the most appropriate way, in order to allow teachers who so wish to take part in the regional, interregional and international training sessions on human rights teaching and education of their choice;

- 6.3 *Recommends* to the Director-General that UNESCO prepare a compilation of the various resolutions, recommendations and declarations on human rights teaching and education adopted by UNESCO and United Nations bodies, so as to provide a consolidated set of instruments on human rights teaching and education; furthermore an annotated version could be prepared for distribution to teachers and non-governmental organizations;
- 6.4 *Recommends* that the Director-General effectively support, in particular on a material level, teachers' and researchers' associations at national, regional and international levels which aim to promote co-operation, exchange of experiences, training, research and publications in the field of human rights;
- 6.5 *Recommends* that the Director-General of UNESCO ensure the preparation of a synoptic report on all of these meetings and their results, and assist Member States and non-governmental organizations in drawing conclusions from them, particularly in the field of training, in preparing updated materials, and in intensifying international co-operation;
- 6.6 *Recommends* that the Director-General pursue co-operation with non-governmental organizations, making provision, whenever possible, for resources to support their educational programmes which reinforce or complement national programmes;
- 6.7 *Recommends* that the Director-General co-operate with the regional intergovernmental organizations and their specialized institutions and with non-governmental organizations concerned with matters of education and information, in carrying out the recommendations adopted by the International Congresses of Vienna (1978) and Malta (1987) on human rights teaching, information and documentation;
- 6.8 *Recommends* that the Director-General give the necessary backing to strengthen the institutionalization of non-governmental organizations for non-formal and community education, especially to develop their work in pedagogical research, in the preparation of written and audiovisual materials for wide distribution, in exchanges of experience and their subsequent systematization;
- 6.9 *Recommends* that the Director-General pay particular attention to the support which should be given to human rights educa-

tion in countries which have suffered severe violations of human rights so as to improve respect for human rights at all levels of society: children as well as adults and special groups such as members of the armed forces, police, lawyers, government officials, etc., and in particular *recommends* that the Director-General support efforts for human rights education and for information on the bases of the struggle against apartheid led by national liberation movements recognized by the Organization of African Unity;

6.10 *Recommends* that the Director-General formulate projects with clear priorities in the area of human rights education for funding by the Voluntary Fund for the Development of knowledge of Human Rights through Teaching and Information, so as to encourage more substantial contributions to the Fund from Member States and interested institutions;

7. Activities in the framework of the Plan for the Development of Human Rights Teaching

*Recognizing* the efforts made by UNESCO towards the implementation of the Plan for the Development of Human Rights Teaching both through its own action and through the encouragement of action by Member States, intergovernmental organizations and non-governmental organizations for the promotion and development of human rights education and teaching,

*Taking note* of the fact that the experience and information gained through the regional preparatory meetings for this Congress have endorsed the human rights education and teaching programmes in their entirety and have underscored the imperative need for UNESCO to continue and increase these activities on all fronts and at all levels,

7.1 *Recommends* that the General Conference extend activities in conformity with the Plan, placing emphasis on the development of priorities identified in the Plan and indicating an allocation of specific responsibilities between UNESCO, Member States, intergovernmental organizations and non-governmental organizations; in the case of Member States, indications should also be given of the institutions which would discharge these functions;

7.2 *Further recommends* that the Director-General address the present recommendations to the Consultative Committee on steps to promote the full and comprehensive implementation

of the 1974 Recommendation, so that the latter may take the necessary steps to ensure the desirable co-ordination in this field; for that purpose, the Consultative Committee might set up a subcommittee;

- 7.3 *Recommends* that the Director-General evaluate every five years the situation of human rights teaching in each Member State by addressing a detailed questionnaire to National Commissions and competent institutions, the synthesis of the replies being published and disseminated to Member States in co-ordination with the submission of the periodic reports in application of the 1974 Recommendation;
- 7.4 *Recommends* that the possibility of holding a Congress to review progress in human rights teaching, information and documentation in seven years (1994) be examined;

The Congress also formulated the following recommendations addressed to the Director-General:

8. Research on human rights (social and human sciences, legal and political sciences history and philosophy)
  - 8.1 UNESCO should actively promote the development of inter-disciplinary research on human rights issues. While the complexities of different societies meant that case-studies should be continued, UNESCO should also promote comparative social science research on human rights issues, and research on the pedagogy for human rights education;
  - 8.2 In recognition of the considerable amount of relevant research that has been carried out in a number of UNESCO programmes, integrative overviews of this existing research should be carried out in order to explicitly identify its relevance for the study and promotion of human rights even when human rights have not been mentioned as part of the paradigm;
  - 8.3 Attention should be paid to the development of the infrastructures for carrying out research. In this connection, UNESCO should assist centres of human rights research that already exist, should ensure that the question of human rights is included in the agenda of professional social science organizations, should encourage the question of human rights to be included as an area of research at faculty level and should assist in the creation of human rights centres where these were

needed. In this connection the offer of the Foundation for International Studies (Malta) to include a centre for human rights research for the Mediterranean should be encouraged. In addition to this UNESCO should encourage the networking of existing institutions exchanges between research centres as well as encouraging individual researchers;

- 8.4 Bibliographies are necessary as research tools. In this connection UNESCO should expand and publish the document *Human Rights Documentation, Data Bases and Bibliographies* (reference document prepared by UNESCO) (SHS-87/CONF.401/4), circulated at the Congress, have it translated into other languages and update it at regular intervals;
- 8.5 Continuing research should be carried out on the effect of social and economic rights on the enjoyment of individual rights. In addition UNESCO should further the debate on the concept of the rights of peoples including the rights of people to preserve their national culture and to struggle against discrimination. Those rights of a collective nature, as for example the right to a healthy and sane environment and the right to development should be the subject of research in order to clarify their dimensions. Of crucial importance is research on the right to life and the right to peace notably with reference to the right to dignity and liberty;
- 8.6 Research should be sponsored on the interaction between individual human rights and the rights of ethnic, religious, political and other minorities, as well as the interaction between individual rights and group or community rights;
- 8.7 Research needs to be done on the relationship between the exercise of human rights factors determining their realization and their limitations in situations of structural violence, public emergencies and internal strife. In this connection research should be encouraged on the notion of the security of the human person as against prevailing theories including that of the security of the State;
- 8.8 UNESCO should continue to sponsor research on the question of torture. This research should include not only torture, as well as cruel, inhuman or degrading treatment, but also the study of traditional practices affecting personal integrity and the analysis of the conditions under which torture emerges, in what way it is legitimized and its impact on other rights within the society;

- 8.9 With regard to development; UNESCO should study the role of human rights in development and as an element in the development co-operation programmes. In addition, research should be done on the whole question of hunger and the debt crisis as these affect individual and group rights;
- 8.10 Research should be conducted on the development of human rights discourse *per se*, in order to map the changing forms of human rights discourse over time and the different, though apparently comparable discourses of human rights that are employed in different contemporary contexts;
- 8.11 Research should be encouraged on the emergence of forms of resistance to the implementation of human rights policies. In addition, an international comparative study should be initiated into the ways by which informal mechanisms are utilized to avoid implementation of human rights policies while constitutional guarantees remain accorded;
- 8.12 UNESCO must include and sponsor research on the question of value systems particularly with reference to religions and the relationship between these and behaviour as this affects human rights;
- 8.13 Research should be promoted on the potential significance for human rights of developments in science and technology. The possibility of a convention governing the uses of science and technology and the responsibility of scientific workers needs to be explored;
- 8.14 Research should be done on the role of mass media in shaping popular conceptions of human rights issues;
- 8.15 Research should be done on the consequences for human rights, particularly for peace and development, of South Africa's programme of destabilization in southern Africa;
- 8.16 Certain situations of extreme discrimination include an important component of massive human rights violations. Research should be encouraged on these situations and particularly on apartheid, racism and discrimination according to gender;
- 8.17 Research should be sponsored on the violations of human rights as result of armed conflicts and violence and the ways



of protecting individual and group rights during armed conflicts;

- 8.18 UNESCO should support and encourage research and training on procedural aspects of remedies against human rights violations in UNESCO's field of competence with a view to improving and making more accessible national and regional implementation and international machineries for redress of grievances. In addition UNESCO should sponsor research on the efficacy of present national, regional and international mechanisms with regard to implementation and redress;

9. Human rights information and documentation

- 9.1 Full and equal access to human rights information must be ensured. One of the basic conditions for ensuring human rights is free access to relevant human rights instruments and adequate information on the remedies available to redress human rights violations, at the national, regional and international levels. To this end, UNESCO should encourage the democratization of information leading to an active participation of both human rights entities and the public at large;
- 9.2 In promoting human rights information and documentation, due regard should be paid to language diversity and the need for translating human rights instruments and materials into various national and local languages. UNESCO should endeavour to provide financial assistance for such initiatives;
- 9.3 In providing human rights information, special attention should be paid to the interests and needs of discriminated and disadvantaged social groups, such as illiterates, the rural poor, indigenous peoples, and those suffering under the apartheid regime;
- 9.4 In order to enhance the role of the mass media in the promotion of human rights information, special courses and dissemination activities for communicators should be organized by UNESCO and other institutions. The awareness of communication and mass media issues among the human rights milieux should be increased and the media should be encouraged to use existing human rights information and documentation systems in reporting, thereby establishing a fruitful dialogue between all those concerned and in a position to enhance human rights information and documentation and

reminding them of their important and responsible role in diffusing information about human rights;

- 9.5 In promoting information channels, increased attention should be paid not only to television and films but also to other information systems, such as children's games, drama, cartoons and posters. UNESCO should consider the possibility of preparing directories of television and radio programmes and films illustrating different aspects of human rights;
- 9.6 Considering the abundance of human rights information already existing in certain areas, increased endeavours should be made to make the existing information known and available to all concerned. In this context, the United Nations, other international organizations and governments could make the contents of their official documents more easily available to the public at large. UNESCO could play an important role in initiating and supporting such activities;
- 9.7 Efforts to improve human rights information and documentation should capitalize upon the existing governmental and non-governmental institutions, networks and systems, without hampering the creation of new institutions and networks. Human rights information and documentation networks should be based on the principles of decentralization and autonomy. UNESCO should continue to support existing centres and networks, including National Commissions for UNESCO and national human rights commissions, with a view to improving their capacities and the co-ordination of activities between different centres. Support should also be given to the institutions taking part in the UNESCO Associated Schools project, to enhance their capacity to disseminate information and materials on human rights;
- 9.8 Where gaps exist in present national and regional information and documentation structures, UNESCO should support the creation of new centres and networks and encourage the building up of infrastructures and upgrading information and documentation skills;
- 9.9 UNESCO should consider reinforcing its infrastructure with a view to establishing a clearing house of data-based information on human rights teaching, taking into account the 'composite model' mentioned in the feasibility study referred to in paragraph 4 of the Introduction to this report. The documen-

tation could include, in a first stage, information not only on teaching materials and bibliographies but also curricular and special programmes, audiovisual aids, institutions and individuals involved in human rights teaching, as well as educational and social science research of relevance for teaching purposes;

- 9.10 In order to identify the modalities and requirements of the above proposed clearing house and of its liaison with local, national and regional institutions and networks, the Congress invites the Director-General of UNESCO to conduct an international consultation of experts, with a view to expediting the setting up of the clearing house as soon as possible;
- 9.11 UNESCO should continue to provide information on documentation sources and bibliographies in the field of human rights and to publish at regular intervals a directory of education and research institutions specialized in human rights, including information on the nature and availability of information in those institutions. Information on UNESCO publications should be more effectively circulated among national and regional institutions interested in human rights;
- 9.12 In the building up of international information and documentation networks, the UNESCO bulletin *Human Rights Teaching* should play a central role. It is vital that the bulletin appear regularly, preferably on a quarterly basis. Other periodicals published by the United Nations system, including the UNESCO Courier, should pay more attention to human rights questions;
- 9.13 UNESCO should support the launching of newsletters to provide information and documentation on human rights teaching in the most widely spoken languages of the world;
- 9.14 UNESCO should contribute to the development of compatible computerized data-processing systems to be used by national, regional and international institutions, so as to facilitate exchanges among the information and documentation centres. UNESCO should also publish a multilingual glossary on human rights terminology;
- 9.15 UNESCO should assist in the organization of courses and training programmes for human rights information and documentation personnel. Such training should include information technology, substantive information on human rights

concepts and issues as well as information on the procedural aspects of human rights protection at national, regional and international levels;

- 9.16 In the building up and strengthening of national and regional centres and networks, UNESCO should assist especially institutions in the developing countries to establish the necessary infrastructure and skills, taking into account the experiences of existing systems in this field and the availability of technologies at a low cost. It is also important that UNESCO supports national institutions and networks in times of political or social crises, and public emergency;

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- 10.1 *Stresses* the importance of the recommendations formulated in the several regional meetings organized for the preparation of the Congress; and,
- 10.2 *Expresses* the wish that the Director-General implement them so far as they are compatible with the conclusions and the recommendations of the present Congress.

## MONTEVIDEO DECLARATION ON DEMOCRATIC CULTURE AND GOVERNANCE, URUGUAY, 1990<sup>1</sup>

### SUMMARY OF THE MONTEVIDEO CONFERENCE<sup>2</sup>

The Conference on «Democratic Culture and Development: towards the Third Millennium in Latin America» took place in Montevideo, Uruguay, from 27 to 30 November 1990 and was organized jointly by UNESCO and the PAX Institute under the auspices of the Government of the Eastern Republic of Uruguay.

The Montevideo Conference brought together at the very highest level about one hundred political and scientific personalities from Latin America and other regions. In an attempt to respond to the growing concern in countries of various regions regarding the democratization of political regimes and the democratic governance of the development process, Heads of State, former Presidents, Ministers and world-famous specialists in the fields of political science, the law, sociology and economics discussed the conditions for the transition towards, and the consolidation of, democratic systems. In that connection, the participants analysed the institutional and political foundations of democracy while stressing the importance of political culture in consolidating democratic processes; they also gave in-depth attention to highlighting the complex relations between economic policies and democracy, as well as the vital question of supranational bolstering of the democratic process through political concertation and economic integration at regional and interregional levels.

The Montevideo Conference is particularly important for UNESCO since it is the first far-reaching international action undertaken by the Organization on the subject of democracy. This action constitutes a natural extension of the Organization's ethical and intellectual mission in the fields of Peace and Human Rights.

In addition to a fruitful and original exchange of views and experience, the Conference adopted the Declaration of Montevideo on Democratic Culture and Governance, set out hereunder. This Declaration provides an important input to international reflection

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<sup>1</sup> Declaration adopted by the International Conference on «Democratic Culture and Development: Towards the Third Millennium in Latin America organized jointly by UNESCO and the PAX Institute, under the auspices of the Government of the Eastern Republic of Uruguay, 27-30 November 1990, Montevideo, Uruguay.

<sup>2</sup> The proceedings of the Montevideo Conference will be published in the coming months.

on democracy and is intended to serve as a reference for future regional and interregional action, particularly as regards education, social research, cultural policy and the development of legal systems and institutions.

UNESCO action in this field will be followed up by an International Forum on Culture and Democracy which will be convened this year in Prague, Czechoslovakia. UNESCO's Draft Programme and Budget for 1992-1993 also provided for other important activities concerning democracy.

### **A Democracy founded on an Ethics of the Individual**

«We are living in times which are witnessing the beginnings of a new phase... We know what went before us but we do not know where we are precisely. What exactly is this democracy, this freedom that we are presently constructing... a freedom of citizens who, although freed from the hold of an omnipresent State, must [nevertheless] not be sacrificed in turn to new corporate idols... This democracy should be truly based on the freedom of the spirit,... on the freedom and dignity of man». (Opening speech to the Montevideo Conference by Mr. Julio M. SANGUINETTI, former President of the Republic of Uruguay, President of the PAX Institute).

### **Culture, the First Prerequisite for Lasting Democracy**

«It is often forgotten, in the initial enthusiasm aroused when... new political structures are set up, that cultural change is a long and complex process. In practice, customs, habits, prejudices and traditions can freeze many enthusiastic initiatives. Consolidating pluralistic and open democratic societies will only be possible if a real culture of democracy is present during the political process since, in the final analysis, only cultural change can guarantee the consistency and sustainability of political change... Learning, teaching, practising and spreading the culture of democracy are the goals around which we all can meet if we are to ensure that democracy takes lasting roots in tomorrow's world» (Opening speech to the Montevideo Conference by Mr. Federico MAYOR, Director-General of UNESCO).

## **Governmental Effectiveness or «Democracy the Day After»**

«Once voting has taken place and the first premise of democracy - the constitution of a legitimate government - has been established, it is often assumed that the democratic process has been fully achieved, whereas in reality it has only begun to exert its influence on society. An analysis which only highlights the legitimacy of the democratic process while neglecting the issue of governance does not go to the heart of the real problem... [For while]... economic development is indeed an objective for a democratic government, we must, citizens and leaders alike, refine and adjust our cultural patterns in order to achieve such a goal». (Opening speech to the Montevideo Conference by Mr. Luis A. LACALLE, President of the Eastern Republic of Uruguay).

### **APPENDIX**

#### **DECLARATION OF MONTEVIDEO**

##### **DEMOCRATIC CULTURE AND GOVERNANCE (November, 1990)**

#### **PREAMBLE**

1. In almost every region of the world, and particularly in Latin America and Europe, the foundations are being laid in public life for the difficult transition to political and economic structures that restore responsibility, initiative and decision-making authority to all social actors. Authoritarian or centralizing forms of organization, which gave a hegemonic State the exclusive right to determine political, social and economic options, are giving way to an increasingly general desire for a new legitimacy based on the popular will and on the recognition of political life as subject to the rule of law.

2. Intellectuals and the Establishment in different countries and regions increasingly tend to view modern democracy not only as the basic expression of popular sovereignty («one person, one vote»), taking care to ensure the independence of justice, but also as a political practice encompassing pluralism, solidarity an participation in which human rights and civil liberties not only behave as limits to the arbitrary exercise of power, but also constitute the ethical basis of social consensus in a civil society formed of free and equal individuals; in which the State, as guardian of national

sovereignty and guarantor of the public weal, becomes the supreme defender of civil and individual rights and freedoms; in which conflicts of interest are peacefully resolved in social contracts supported by the law; and lastly, in which economic activity, concurrently with the democratization of the political process and as a logical manifestation of the same compelling need for change and social progress, develops towards more open forms of initiative and control involving the State, the market and other social actors that enjoy considerable discretion in their decision-making.

3. This more complex and differentiated civil society beckons from the future, challenging the very foundations of our way of life as individuals and communities. In a real pluralist democracy, law, liberty and social justice have to be reconciled. The elimination of social disparities, exclusion and marginality and the furtherance of the development process are major challenges to social imagination and to the solidarity of the different social actors, especially the State.

4. Democracy and sustainable development will depend in large measure on the ability of individual societies to modernize from within, especially through changes and adjustments that enhance the State's efficiency and legitimacy in arbitrating conflicts and administering justice, and in providing encouragement and guidance in the economic and cultural fields. It is in this way that existing disparities can be overcome and a new national consensus around the joint project of a more just and more effectively pluralist civil society be promoted.

5. However, given the far-reaching changes in the forms and structures of power in the world at large, there seems little prospect of devising effective and lasting solutions to the complex web of political and economic problems at the level of individual countries. Social change at world level and corresponding changes in the region make it increasingly essential to build up regional and inter-regional co-operation. With ideological polarization vanishing, the challenge of the future consists in translating public and private resolve into supranational co-operation strategies that ensure political and economic transition at minimum social cost. It is certainly in this context of broader co-operation that more effective action can be taken to counter social exclusion and reduce internal disparities while at the same time lessening external economic, scientific and technological dependence through more effective integration of the States of the region into a world system whose political and economic foundations are rapidly evolving.



6. However, changes in the practical exercise of power and the reorganization of systems of production give rise to changes not only in political, social and economic institutions but also in culture and in the behaviour of the individuals and groups moulded by that culture. The other vital dimension of the challenge facing societies in the early stages of democracy is the forging of a democratic culture. A pluralist democratic society cannot work unless it is based on value and knowledge systems that have been spontaneously accepted by a majority of individuals, empowering them to make effective use of political and legal institutions and guiding their behaviour in accordance with criteria about the common good and of justice, equity and social peace. There is therefore an increasing awareness of the need for thoroughgoing cultural and institutional renewal so as to provide a channel for the clashes among the different ideas and forms of social activity that inevitably occur when people are allowed free expression, and to resolve divergences through social achievements representing the creative embodiment of a whole people.

### **PRINCIPLES AND RECOMMENDATIONS**

7. Within this general context, the Conference on Democratic Culture and Development in Latin America, held on the initiative of the Government of the Eastern Republic of Uruguay, UNESCO, and the PAX Institute, which has brought together in Montevideo distinguished representatives of the world of politics and sciences from the region and beyond, on the threshold of the third millennium:

- A. *Unanimously reaffirms* the vital importance of democracy for the future of mankind in that it is:
- (a) the only political system and practice based on the sovereignty of the people, open to the active participation in public life of all sectors of society and all shades of opinion, without any discrimination;
  - (b) the only system and practice for public life capable of bringing about a society based on the rule of law and on the recognition of human rights and of civil and individual freedoms as the ethical basis for a civil society of free and equal individuals, and where the State appears as supreme defender of those rights and freedoms;
  - (c) the only system and practice for public life which is geared to the peaceful and concerted pursuit of social justice, equity and individual and community well-being under the law.

B. *Therefore recommends* that States and relevant international governmental and non-governmental organizations commit themselves to promoting democracy, within the framework of regional and international co-operation, through:

- (a) the development of comparative research in social and judicial sciences at the regional and interregional levels concerning the nature, functioning and efficiency of the political institutions and machinery and the laws and customs that make for progress towards participatory democracy and towards the democratic governance of development processes, and, in particular, concerning the new functions and forms of organization of the State as defender of rights and promoter of democratic social processes and development;
- (b) the development of studies on the possibility of establishing or reinforcing, with the objective of political and economic regional integration, jurisdictions at the regional level in the field of human rights;
- (c) the development of national, regional and interregional education programmes designed, with a view to developing a democratic culture, to enhance the people's awareness of the values of freedom, solidarity, justice, social peace and tolerance and to provide them with the knowledge on political institutions and law they need to exercise democracy in a way that is genuinely guided by the principles of human rights;
- (d) the development of national and regional cultural policies and structures conducive to the different social actors' participation in national public life in a politically responsible way.

C. *Recommends in particular that UNESCO*, which has a specific responsibility within the framework of the United Nations with regard to human rights and peace, should give priority in its biennial programmes and medium-term plans to activities aimed at promoting democracy in social and cultural life. Specifically, it should, in co-operation with interested Member States and with relevant public and private institutional networks:

- (a) promote and organize forums for reflection and exchanges of ideas among the intellectual and political communities;
- (b) develop for subsequent inclusion in general human rights and peace education programmes contents about democracy and democratic values;
- (c) carry out comparative studies concerning existing mechanisms for: (i) negotiation and peaceful settlement of conflicts of

interest; (ii) interaction between civil society and the State;  
(iii) horizontal social participation and communication.

## **SUPPORT GIVEN TO THE MONTEVIDEO DECLARATION**

### Member States

Argentina - Bolivia - Brazil - Colombia - Costa Rica  
Chile - Ecuador - Mexico - Panama - Paraguay  
Dominican Republic - Uruguay - Venezuela - Hungary

### Scientific Organizations

Latinoamerican Social Sciences Council (CLACSO)  
Latinoamerican Faculty of Social Sciences (FLACSO)

### Non Governmental Organizations

South American Commission for Regional Peace

**DECLARATION OF WINDHOEK ON PROMOTING AN  
INDEPENDENT AND PLURALISTIC  
AFRICAN PRESS, NAMIBIA, 1991**

*We the participants* in the United Nations/United Nations Educational, Scientific and Cultural Organization Seminar on Promoting an Independent and Pluralistic African Press, held in Windhoek, Namibia, from 29 April to 3 May 1991,

*Recalling* the Universal Declaration of Human Rights,  
*Recalling* General Assembly resolution 59(I) of 14 December 1946 stating that freedom of information is a fundamental human right, and General Assembly resolution 45/76 A of 11 December 1990 on information in service of humanity,

*Recalling* resolution 25C/104 of the General Conference of UNESCO of 1989 in which the main focus is the promotion of «the free flow of ideas by word and image at international as well as national levels».

*Noting with appreciation* the statements made by the United Nations Under-Secretary-General for Public Information and the Assistant Director-General for Communication, Information and Informatics of UNESCO at the opening of the Seminar,

*Expressing* our sincere appreciation to the United Nations and UNESCO for organizing the Seminar,

*Expressing also* our sincere appreciation to all the intergovernmental, governmental and non-governmental bodies and organizations, in particular the United Nations Development Programme (UNDP), which contributed to the United Nations/UNESCO effort to organize the Seminar,

*Expressing* our gratitude to the Government and people of the Republic of Namibia for their kind hospitality which facilitated the success of the Seminar,

*Declare that:*

1. Consistent with article 19 of the Universal Declaration of Human Rights, the establishment, maintenance and fostering of an independent, pluralistic and free press is essential to the development and maintenance of democracy in a nation and for economic development.
2. By an independent press, we mean a press independent from governmental, political or economic control or from control of

materials and infrastructure essential for the production and dissemination of newspapers, magazines and periodicals.

3. By a pluralistic press, we mean the end of monopolies of any kind and the existence of the greatest possible number of newspapers, magazines and periodicals reflecting the widest possible range of opinion within the community.

4. The welcome changes that an increasing number of African States are now undergoing towards multi-party democracies provide the climate in which an independent and pluralistic press can emerge.

5. The world-wide trend towards democracy and freedom of information and expression is a fundamental contribution to the fulfilment of human aspirations.

6. In Africa today, despite the positive developments in some countries, in many countries journalists, editors and publishers are victims of repression—they are murdered, arrested, detained and censored, and are restricted by economic and political pressures such as restrictions on newsprint, licensing systems which restrict the opportunity to publish, visa restrictions which prevent the free movement of journalists, restrictions on the exchange of news and information, and limitations on the circulation of newspapers within countries and across national borders. In some countries, one-party States control the totality of information.

7. Today, at least 17 journalists, editors or publishers are in African prisons, and 48 African journalists were killed in the exercise of their profession between 1969 and 1990.

8. The General Assembly of the United Nations should include in the agenda of its next session an item on the declaration of censorship as a grave violation of human rights falling within the purview of the Commission on Human Rights.

9. African States should be encouraged to provide constitutional guarantees of freedom of the press and freedom of association.

10. To encourage and consolidate the positive changes taking place in Africa, and to counter the negative ones, the international community - specifically international organizations (governmental as well as non-governmental), development agencies and professional associations - should as a matter of priority direct funding support towards the development and establishment of

non-governmental newspapers, magazines and periodicals that reflect the society as a whole and the different points of view within the communities they serve.

11. All funding should aim to encourage pluralism as well as independence. As a consequence, the public media should be funded only where authorities guarantee a constitutional and effective freedom of information and expression and the independence of the press.

12. To assist in the preservation of the freedoms enumerated above, the establishment of truly independent, representative associations, syndicates or trade unions of journalists, and associations of editors and publishers, is a matter of priority in all the countries of Africa where such bodies do not now exist.

13. The national media and labour relations laws of African countries should be drafted in such a way as to ensure that such representative associations can exist and fulfil their important tasks in defence of press freedom.

14. As a sign of good faith, African Governments that have jailed journalists for their professional activities should free them immediately. Journalists who have had to leave their countries should be free to return to resume their professional activities.

15. Co-operation between publishers within Africa, and between publishers of the North and South (for example through the principle of twinning), should be encouraged and supported.

16. As a matter of urgency, the United Nations and UNESCO, and particularly the International Programme for the Development of Communication (IPDC), should initiate detailed research, in co-operation with governmental (especially UNDP) and non-governmental donor agencies, relevant non-governmental organizations and professional associations, into the following specific areas:

- (i) identification of economic barriers to the establishment of news media outlets, including restrictive import duties, tariffs and quotas for such things as newsprint, printing equipment, and typesetting and word processing machinery, and taxes on the sale of newspapers, as a prelude to their removal;
- (ii) training of journalists and managers and the availability of professional training institutions and courses;

- (iii) legal barriers to the recognition and effective operation of trade unions or associations of journalists, editors and publishers;
- (iv) a register of available funding from development and other agencies, the conditions attaching to the release of such funds, and the methods of applying for them;
- (v) the state of press freedom, country by country, in Africa.

17. In view of the importance of radio and television in the field of news and information, the United Nations and UNESCO are invited to recommend to the General Assembly and the General Conference the convening of a similar seminar of journalists and managers of radio and television services in Africa, to explore the possibility of applying similar concepts of independence and pluralism to those media.

18. The international community should contribute to the achievement and implementation of the initiatives and projects set out in the annex to this Declaration.

19. This Declaration should be presented by the Secretary-General of the United Nations to the United Nations General Assembly, and by the Director-General of UNESCO to the General Conference of UNESCO.

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## **ANNEX**

### **Initiatives and Projects Identified in the Seminar**

#### **I**

Development of co-operation between private African newspapers:

- to aid them in the mutual exchange of their publications;
- to aid them in the exchange of information;
- to aid them in sharing their experience by the exchange of journalists;
- to organize on their behalf training courses and study trips for their journalists, managers and technical personnel.

#### **II**

Creation of separate, independent national unions for publishers, news editors and journalists.

### III

Creation of regional unions for publishers, editors and independent journalists.

### IV

Development and promotion of non-governmental regulations and codes of ethics in each country in order to defend more effectively the profession and ensure its credibility.

### V

Financing of a study on the readership of independent newspapers in order to set up groups of advertising agents.

### VI

Financing of a feasibility study for the establishment of an independent press aid foundation and research into identifying capital funds for the foundation.

### VII

Financing of a feasibility study for the creation of a central board for the purchase of newsprint and the establishment of such a board.

### VIII

Support and creation of regional African press enterprises.

### IX

Aid with a view to establishing structures to monitor attacks on freedom of the press and the independence of journalists following the example of the West African Journalists' Association.

### X

Creation of a data bank for the independent African press for the documentation of news items essential to newspapers.



## **SINAIA STATEMENT ON ACADEMIC FREEDOM AND UNIVERSITY AUTONOMY, ROMANIA, 1992**

1. The Sinaia International Conference on Academic Freedom and University Autonomy met at a moment of great change. All institutions of society, and especially universities, are affected by the social, political and economic upheavals surrounding them. Indeed, universities have a singular opportunity and obligation to contribute to the development of society and to play an active role in shaping the societies they serve.

History has shown that violations of academic freedom and institutional autonomy have high costs in intellectual regression, social alienation and economic stagnation. In light of profound social changes and new demands placed on universities, there is a need to forge a new understanding between universities and society. A reaffirmation and revitalization of the principles of academic freedom and university autonomy are imperative.

2. This is not the first time that universities have faced the challenges of social, political, economic and cultural transformations. Universities have proved themselves to be adaptable while at the same time honouring their historic commitment to scholarship and teaching. The ability of universities to maintain both their traditional vocation and their relevance to society in the 21st century will require that they view these changes as challenges to their imagination and resourcefulness and not as threats to their mission. The knowledge and know-how of universities will be crucial in tackling the many challenges society faces: cultural and national separatism, the protection of the environment, the development of human potential, to name but a few. These problems will not be easily resolved, nor, certainly, will they be resolved by universities alone. But universities can and should play a key role in the quest for solutions.

3. The defining characteristic of the university is its commitment to open and independent inquiry. This characteristic also distinguishes the nature of university research, which, unlike partisan research, seeks knowledge and understanding in a completely unrestricted manner. The same principles of unfettered inquiry apply to teaching and the dissemination of knowledge. This commitment to the pursuit of truth gives universities all over the world their universal values and enables them to embark on the

important paths of regional and international co-operation, which are so important to the vitality of the modern university.

In affirming the value of academic freedom, the Conference participants recognize that universities themselves have a responsibility to nurture academic freedom within their own communities. Similarly, governments and the public must respect the rights of universities to serve as centres of completely free inquiry and of social criticism.

4. As part of this revitalised understanding with society, universities recognize their obligation to demonstrate to decision-makers and to the public at large the value of their enterprise. Specifically, universities must develop convincing mechanisms of evaluation which demonstrate their quality and effectiveness.

5. Universities have an obligation to speak out against all kinds of intolerant behaviour. This obligation takes on particular urgency in light of the forces recently unleashed in Europe and elsewhere in the world. To reaffirm the values of tolerance and the primacy of peaceful solutions is not to ignore the significance of different cultural traditions but to promote mutual understanding and co-operation. Without them, there can be no civilised life at all, let alone any role for the university.

### RECOMMENDATION

The Sinaia International Conference on Academic Freedom and University Autonomy:

- aware of the increasing international importance attached to higher education and its impact on society;
- recognizing the concepts of academic freedom and university autonomy as essential elements for the fulfilment of the mission of universities;
- stressing the importance of the notion of the accountability and the social responsibility of universities;
- taking into account the efforts to develop an international understanding on academic freedom and university autonomy such as the *Magna Charta of European Universities* (Bologna, 1988) the *Declarations of Lima* (1988), *Kampala* (1988) and *Dar-es-Salam* (1990), and the outcome of several recent meetings of international academic organizations,

*urges UNESCO* to give the matter of academic freedom and university autonomy its utmost attention and to prepare an international instrument for the protection and promotion of these values.

**DECLARATION OF ALMA-ATA ON PROMOTING  
INDEPENDENT AND PLURALISTIC  
ASIAN MEDIA, KAZAKSTAN, 1992**

*We the participants* in the United Nations/United Nations Educational, Scientific and Cultural Organization Seminar on Promoting Independent and Pluralistic Asian Media, held in Alma-Ata, Kazakstan, from 5 to 9 October 1992,

*Recalling* Article 19 of the Universal Declaration of Human Rights, which states 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»,

*Recalling* General Assembly Resolution 59(I) of 14 December 1946, stating that freedom of information is a fundamental human right, and General Assembly Resolution 45/76 A of 11 December 1990 on information in the service of humanity,

*Recalling* Resolution 104 adopted by the General Conference of UNESCO at its twenty-fifth session in 1989, in which the main focus is the promotion of «the free flow of ideas by word and image—at international as well as national levels»,

*Recalling* Resolution 4.3 adopted by the General Conference of UNESCO at its twenty-sixth session in 1991, which recognizes that a free, pluralistic and independent press is an essential component of any democratic society and which endorses the Declaration adopted by the participants at the United Nations/UNESCO Seminar on «Promoting an Independent and Pluralistic African Press», held in Windhoek, Namibia, from 29 April to 3 May 1991,

*Stressing* the growing role of the International Programme for the Development of Communication (IPDC), whose Intergovernmental Council decided, at its February 1992 session, to give priority to projects which seek to reinforce independent and pluralistic media,

*Noting with appreciation* the message of the Secretary-General of the United Nations to the Seminar, delivered on his behalf by his representative, the Executive Secretary of the Economic and Social Commission for Asia and the Pacific, and the statement made by the Assistant Director-General for Communication, Information and Informatics of UNESCO on behalf of the Director-General of UNESCO at the opening of the Seminar,

*Expressing* our sincere appreciation to the United Nations and UNESCO for organizing the Seminar,  
*Expressing* our gratitude to the Government and people of the Republic of Kazakhstan for their kind hospitality, which facilitated the success of the Seminar,  
*Expressing* also our sincere appreciation to all the intergovernmental, governmental and non-governmental bodies and organizations, in particular the United Nations Development Programme (UNDP), which contributed to the United Nations/UNESCO effort to organize the Seminar,  
*Recognizing* the historic emergence of newly independent media in the Central Asian Republics of the former Soviet Union, and the need to build upon the innovative achievements of the Seminar in Africa,  
*Declare* our full support for, and total commitment to, the fundamental principles of the Declaration of Windhoek, and acknowledge its importance as a milestone in the struggle for free, independent and pluralistic print and broadcast media in all regions of the world.

### **Specific Project Proposals**

In Asia and the Pacific, including the newly independent Central Asian Republics of the former Soviet Union, which identify with the Asian region, we seek practical application of the principles enshrined in the Declaration of Windhoek, in conjunction with relevant national and international professional organisations and relevant UN agencies, in the following specific project proposals and in the following fields:

#### *1. Legislation*

To give expert advice and legal drafting assistance to replace redundant press laws inherited at independence with laws that create enforceable rights to freedom of expression, freedom of opinion, access to information and freedom of the press; to abolish monopolies and all forms of discrimination in broadcasting and allocation of frequencies, in printing, newspaper and magazine distribution, and in newsprint production and distribution; and to abolish barriers to launching new publications, and discriminatory taxation.

#### *2. Training*

To promote a programme of national in-country and sub-regional seminars and/or training courses covering:

- (a) professional skills, including extensive training and treatment of development issues;
- (b) management, marketing and technical skills for the print and broadcast media;
- (c) international principles of freedom of speech, freedom of expression, freedom of information and freedom of the press;
- (d) international principles of freedom of association, management/staff relations, collective bargaining skills and the rights and responsibilities of representative associations of journalists, editors, broadcasters and publishers;
- (e) principles of journalists' independence and the relationship between the editorial department of a newspaper, the board of directors and the administrative, advertising and commercial departments;
- (f) appropriate curricula and training methodology for journalism training institutions (including tutor/lecturer exchange programmes) and special trainer programmes;
- (g) access to training programmes and facilities;
- (h) codes of conduct relating to advertising in the broadcast media;
- (i) the rights of women in the media, and the rights of minority groups within societies.

### 3. *Free Flow of Information*

As a matter of urgency:

- (a) To support the establishment of media resource centres in the Central Asian Republics where journalists and other media personnel can gain access to international news and information, manuals, textbooks and study materials, and where they can utilize desktop publishing equipment to prepare material for publication;
- (b) to assist independent media in the upgrading of production, content and presentation of television news and current affairs programmes through the provision of new technology and the exposure of staff to modern and alternative production techniques and values;
- (c) to assist in the establishment of an inter-country news exchange service, in order to increase the flow of international, national and regional news and information to and from neighbouring countries, and to help upgrade technology and develop more extensive communication links.

#### 4. *Safety of Journalists*

To support the right of journalists to exercise their profession safely, and to establish a protection centre (or centres) in the region to link up with the proposed IFEX (International Freedom of Information Exchange) Action Alert Network for Asia, aiming specifically at the safety of journalists and press freedom issues.

#### 5. *Public Service Broadcasting*

To encourage the development of journalistically independent public service broadcasting in place of existing State-controlled broadcasting structures, and to promote the development of community radio.

To upgrade educational broadcasting through support for distance education programmes such as English-language instruction and formal and non-formal education, literacy programmes, and information programmes on AIDS, the environment, children, etc.

#### 6. *Professional Associations*

To assist Central Asian journalists, editors, publishers and broadcasters in establishing truly independent representative associations, syndicates or trade unions of journalists and associations of editors, publishers and broadcasters where such bodies do not yet exist.

#### 7. *Special Economic Issues*

To identify economic barriers to the creation of new, independent media in Central Asia and in particular to arrange a feasibility study into alternative methods of acquiring and distributing newsprint, alternative facilities for printing and distributing newspapers and magazines and alternative means of obtaining low-interest credit.

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The above projects, while identified as specific needs of Central Asian media, have region-wide applications. The participants call on UNESCO and its International Programme for the Development of Communication (IPDC), the United Nations, in particular the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Development Programme

(UNDP), international professional organizations, donor countries, foundations and other interested parties to contribute generously to, and co-operate in, the implementation of these initiatives.

The participants request that this Declaration be presented by the Secretary-General of the United Nations to the United Nations General Assembly, and by the Director-General of UNESCO to the General Conference of UNESCO.

Alma-Ata, 9 October 1992



**DECLARATION ON THE ROLE AND CHALLENGES OF  
COPYRIGHT ON THE EVE OF THE TWENTY-FIRST  
CENTURY, PARIS, FRANCE, 1992**

The participants of the Reflection Meeting on the Role and Challenges of Copyright on the Eve of the Twenty-first Century which took place in Paris from 16 to 18 November 1992, on the occasion of the 40th anniversary of the Universal Copyright Convention,

*Having undertaken* an interdisciplinary analysis of the new challenges created by the development of new technologies to the protection of copyright and neighbouring rights,

*Considering* the cultural and economic impact of copyright and neighbouring rights in a post-industrial society,

*Taking into account* the essential role of creativity in the cultural, scientific, technological and economic development of peoples,

*Note* that the application of new technologies provides new opportunities for the creation, production and distribution of works of the mind and, at the same time, tends to blur the frontiers established by the traditional concepts of the protection of copyright and neighbouring rights,

*Congratulate* UNESCO on having taken the initiative of calling this Interdisciplinary Reflection Forum with a view to formulating suggestions on the immediate prospects of copyright and neighbouring rights facing the challenges of the year 2000,

*Draw the attention* of UNESCO to the fact that this is the moment to thoroughly study the question of scientific creation, the present complexity of which makes it necessary to identify a legal framework of protection best suited to these intellectual creations and which at the same time would assure the free circulation of ideas and the universal access to the results of scientific research,

*Bearing in mind* the increasing demand for the exploitation of audio-visual works, *invite* UNESCO to examine the problems of copyright and neighbouring rights which result from this utilization by new technological means of reproduction and dissemination in such a way as to facilitate society's access to these works while protecting the interests of the owners of copyright and neighbouring rights,

*Invite* UNESCO to closely follow the evolution of electronic publishing, of multimedia publishing and sampling, and *recommend* the parties concerned to bear in mind the need for the safeguarding of the legitimate interests of the owners of copy-

right and neighbouring rights, when such works are made available to the public,

*Underline* the fact that within this new context, collective administration appears to be the most appropriate solution to the problems of protection created by new technologies and that the latter permit, in their turn, the conception of new modes of collective administration of copyright and neighbouring rights,

*Draw attention* to the need to promote such innovative legal solutions to provide for the protection of the legitimate interests involved which would not endanger the traditional fundamentals of intellectual property,

*Invite* UNESCO to do everything necessary in order that the development of new technologies does not prejudice the moral and economic interests of authors, performers, producers of phonograms and broadcasting organizations,

*Request* UNESCO to reinforce its action to encourage the international protection of the owners of copyright and neighbouring rights through the Universal Copyright Convention and the other international conventions and declare that the effective protection of beneficiaries of moral and economic rights demands the firm application of national legislation and respect for international commitments undertaken by the States,

*Recommend* UNESCO to continue its teaching, training and information activities in the field of copyright and neighbouring rights, taking into account the fact that without due knowledge and the experience of qualified professionals, it is difficult, even impossible, to guarantee the efficient enforcement of the existing laws,

*Also recommend* UNESCO to promote the introduction of the basic notions of copyright and neighbouring rights into the educational programmes for authors and performers,

*Further suggest* that UNESCO develop a proposal to establish a «College of Experts» composed of international specialists on copyright and neighbouring rights, agreed upon by UNESCO, before which Member States could appeal in case of legal disputes which demand a high level of expertise.

# **WORLD PLAN OF ACTION ON EDUCATION FOR HUMAN RIGHTS AND DEMOCRACY, MONTREAL, CANADA, 1993<sup>1</sup>**

## **Introduction**

### **Who?**

The World Plan of Action is addressed, among others, to:

individuals, families, groups and communities, educators, teaching institutions and their boards, students, young people, the media, employers and unions, popular movements, political parties, parliamentarians, public officials, national and international non-governmental organizations, all multilateral and intergovernmental organizations, the United Nations Organization, in particular its Centre for Human Rights, specialized institutions of the United Nations system, in particular UNESCO, and States.

The advocates of this Plan come from all sectors of society. It is addressed to victims of human rights violations and defenders of human rights and democracy as well as decision-makers.

The Plan is not a comprehensive strategy for formal and informal education. It is more a framework of action which will be tailored and executed by various participants. These participants are better qualified to adjust the implementation of the Plan in accordance with their priorities, resources and particular circumstances. The Plan will therefore depend on all actors including grass-roots education workers in villages, refugee camps, barrios, inner cities and war zones throughout the world.

The Plan conceives of education in its broadest sense, among all age, gender, class, ethnic, national, religious and linguistic groups and in all sectors of society. It takes a global view of education, through strategies for learning in formal and non-formal settings and including popular and adult education, education in the family, out-of-school education of youth, education of specialised groups and education in difficult situations.

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<sup>1</sup> Adopted by the International Congress on Education for Human Rights and Democracy, Montreal, Canada, 8-11 March 1993.

## What?

The Plan of action calls for a global mobilization of energies and resources, from the family to the United Nations, to educate individuals and groups about human rights so that conduct leading to a denial of rights will be changed, all rights will be respected and civil society will be transformed into a peaceful and participatory model. Learning is not an end in itself but rather the means of eliminating violations of human rights and building a culture of peace based on democracy, development, tolerance and mutual respect.

The Plan is based on the body of intentional human rights and humanitarian law. Human rights are seen in this Plan as universal and indivisible.

As a forward-looking strategy this Plan builds on, *inter alia*, the 1974 'Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms' and the recommendations which emerged from the UNESCO International Congress on the Teaching of Human Rights, in Vienna in 1978, the UNESCO International Congress on Human Rights Teaching, Information and Documentation in Malta in 1987 and the International Forum on Education for Democracy, in Tunis in December 1992.

The Plan conceives of human rights in their broadest sense to include *inter alia* learning about tolerance and acceptance of others, solidarity, participatory citizenship and the importance of building mutual respect and understanding.

## Why?

The context of the Plan of action must be seen as one of alarm and urgency. Certainly, the Cold War has come to a close, walls have come down and some dictators have been deposed. Yet the last decade of the twentieth century is experiencing the recurrence of the most serious human rights violations, caused by the rise of nationalism, racism, xenophobia, sexism and religious intolerance. These recurrences have led to the most abhorrent forms of ethnic cleansing including the systematic rape of women, exploitation, neglect and abuse of children and concerted violence against foreigners, refugees, displaced persons, minorities, indigenous peoples and other vulnerable groups.

Notwithstanding the dissolution of authoritarian regimes and the formation of emerging democracies world-wide over the last years, new forms of autocracy have also emerged. An alarming rise of racism, various forms of extremism and religious fanaticism and the dangerous instability of some post-authoritarian States are noted. No less disturbing for the protection of human rights are the threats stemming from environmental degradation, from new bio-medical technologies and from the scourge of HIV/AIDS.

Education for human rights in a changing world is the thrust of this Plan of action. It should be participatory and operational, creative, innovative and empowering at all levels of civil society. The rise of nationalism and intolerance mentioned above calls for special and anticipatory educational strategies aimed at preventing the outbreak of violent conflicts and the related human rights violations. Incremental changes can no longer be considered satisfactory. Education should aim to nurture democratic values, sustain impulses for democratization and promote societal transformation based upon human rights and democracy.

The Plan of action takes into consideration the development of human rights norms and the establishment of mechanisms for the promotion and protection of human rights at national, regional and international levels.

A key challenge for the future is to enhance the universality of human rights by rooting these rights in different cultural traditions. The effective exercise of human rights is also contingent upon the degree of responsibility by individuals towards the community.

### **When?**

The World Plan of Action is intended to start immediately, working towards specific measurable objectives within a timetable laid down by the participants in the Plan. The observation of the fiftieth anniversary of the United Nations Organization in 1995 and of the Universal Declaration of Human Rights in 1998 can serve as the focus for activities, programmes and projects in human rights education and occasions for their assessment and dissemination. A series of events for sharing experiences and assessing results should be organized from the local community level up to and including the global level. Such sharing and assessment should be subject to a general overall review by the end of the decade for planning ongoing activities and programmes in the twenty-first century.

## How?

In order for this Plan to succeed, the active participation of individual States is essential, wherever possible. The State should commit itself to defined targets for human rights education and awareness within governmental structures and institutions. The State should provide funding for initiatives which are generated nationally. The commitment of States to human rights education indicates the political will to build a sustainable democratic society. The quality of human rights education is in itself a manifestation of such a will now and for the future. The initiatives of States in this field provide a basis for assessment. In this context, it is important for States to accede to all human rights instruments.

The United Nations system, in particular UNESCO and the United Nations Centre for Human Rights, and a number of governmental and international governmental and nongovernmental organizations have already begun to work in the area of education for human rights and democracy. This work should be considered an important part of the implementation of the Plan, both as a point of departure and also a source of ideas, materials, experience and insight and it should be intensified. In particular, more emphasis should be given to projects for education for human rights and democracy under the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights. In its context the Plan could provide a frame for improved co-ordination of programmes of human rights education and democracy.

The following seven major strategies are proposed:

1. Development and distribution by UNESCO of a standard form for planning, implementation and assessment of the Plan. This will assist governmental and non-governmental organizations in the projection, co-ordination and review of various programmes, projects and activities to achieve the objectives of the World Plan of Action. UNESCO would keep a register of all initiatives undertaken in this framework communicated by the participants.
2. Development of active national, regional and international networks to produce material, curricula and programmes as well as to exchange methods and materials and develop 'best practice' approaches.

3. Access to up-to-date information and documentation and the availability of practical and inexpensive teaching materials.
4. Convening of regional and global momentum-building conferences.
5. Strengthening of the United Nations Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights and of the UNESCO Voluntary Fund for the Development of the Knowledge of Human Rights through Education and Information so that they can better support human rights education, information and documentation projects on a world-wide basis, including those of non-governmental organizations, as well as encouraging funding of such projects by other public and private funding institutions and sources.
6. Emphasis to be given to the right to education and in particular human rights education by the United Nations Commission on Human Rights and its monitoring mechanisms, the regional human rights commissions, as well as by the expert organs supervising the international human rights treaties and in particular the Committee on the Rights of the Child.
7. A follow-up committee to be established by UNESCO, in consultation with the United Nations Centre for Human Rights, will disseminate the Plan, receive relevant communications and follow-up and monitor the implementation of the Plan.

The Plan emphasizes that learning is intended to encompass the concepts that knowledge must lead to action, that access to knowledge should be empowering, that learning is a participatory process and that the learner is also the teacher and vice-versa. The methodology of education for human rights and democracy should be respectful of the rights of the learner and democratic in its organization and functioning.

This Plan calls for methods which will reach the widest number of individuals most effectively, such as the use of the mass media, the training of trainers, the mobilization of popular movements and the possibility of establishing a world-wide television and radio network under the auspices of the United Nations.

## **Objectives**

The Plan strives to:

1. make information available about human rights norms and instruments as well as recourse procedures and mechanisms against violations at the national, regional and international levels. Special efforts should be made to ensure that this information reaches young people;
2. assist learners to understand the connections between economic conditions and access to rights and encourage educators to support strategies for change that are non-violent and democratic;
3. increase the awareness of educators in all sectors and at all levels of the benefits of co-operation and co-ordination through networking and to assist them in building human rights education networks;
4. encourage governments and the international community to provide and foster a culture of peace based on human rights;
5. to make human rights and the national, regional and international instruments that guarantee such rights more widely known.

## **Main lines of action**

The ultimate purpose of the Plan is to create a culture of human rights and to develop democratic societies that enable individuals and groups to solve their disagreements and conflicts by the use of non-violent methods.

The challenge of making education for human rights and democracy effective and comprehensive world-wide will require:

1. the identification of the most appropriate target groups so as to ensure rapid and effective implementation;
2. a focus on educational support where it is most needed and most empowering and ensuring that projects are suitable for potential users;



3. the encouragement and development of initiatives which mobilize people and which utilise innovative methodology;
4. the process of human rights education and training with the participation of target groups, must be viewed as an exercise in democracy. This can be done by practising the principle of equality and by developing participatory and inclusive learning contexts and curricula in response to the real needs of people. Educational processes and methodologies must be models for what the plan wishes to achieve in society as a whole. It is also imperative that learning programmes include approaches which assist people to understand and analyse their relations with power as well as with leadership styles and abuses;
5. the development of pedagogic research into the various aspects of education for human rights and democracy, taking account especially of present changes;
6. the systematic revision of school textbooks with a view to eliminating xenophobic, racist, sexist and other stereotypes;
7. the building of practical relationships or networks among individuals, educators, groups and institutions in particular through meetings and bilateral and multilateral collaboration;
8. the strengthening of the commitment to identify and increase resources for education for human rights and democracy at national, regional and international levels. It is essential that the action of NGOs is not impeded;
9. special attention should be given to the design of cost-effective and sustainable educational programmes;
10. a global commitment to increase resources for education for human rights and democracy as well as earmarking funds in development projects for this purpose.

### **Levels of action**

The following levels of action should be emphasized:

Teaching human rights and democracy in the curricula at all levels of the school system

*Aim:* To build an integral and broad-based curriculum that is both pervasive across subject disciplines and taught as a sepa-

rate subject so that human rights and democracy education is dealt with repeatedly throughout a person's basic education. The theme of rights, responsibilities and democratic processes should also be woven into all or most topics of study and included in the values aimed at in school life and in the process of socialization.

The focus should be on:

- (i) pre-primary;
- (ii) primary;
- (iii) secondary and vocational training;
- (iv) post-secondary - colleges and universities;
- (v) teacher training/education;
- (vi) teachers' organizations and unions;
- (vii) school boards and other levels of education administration;
- (viii) parents' organizations.

Education for human rights and democracy in a non-formal setting

*Aims:* To involve groups of adults and young people, including those not attending school, in out-of school education, through their families, their professional associations, work places, institutions, groupings, etc. Programmes will aim at increasing the awareness of individuals in both formal and informal groups to their rights and to their responsibilities and to their full participation throughout society. Special attention will be given to reach all women whatever their current level of participation in public life.

To achieve this aim, education for human rights and democracy will take place in specific settings and focus on certain groups including:

- (i) work place (unions, employers);
- (ii) professional associations;
- (iii) religious and cultural organizations;
- (iv) youth, including through leisure and sports clubs;
- (v) UNESCO Clubs, centres and associations;
- (vi) groups which are less exposed to public life (for example, people living in rural or remote areas);
- (vii) groups working specifically on literacy, advocacy and assisting those living in extreme poverty;
- (viii) security, army, police and prison personnel, etc.;
- (ix) public officials and decision-makers;
- (x) judges and lawyers and others working in the administration of justice;

- (xi) media presumable;
- (xii) medical doctors, health professionals and scientists including those engaged in biological research.

#### Education for human rights and democracy in specific contexts and difficult situations

*Aim:* To direct efforts to provide appropriate information and education to people in difficult situations where their rights are endangered.

In addition to the proposed objectives (1) and (2) above, attention should be paid to vulnerable groups as well as to potential and actual violators with a view to preventing abuse and to protecting the victims. The level of intervention for this education and protection will depend on:

- A. The type of situation, such as:
  - 1. armed conflicts of either an international or non-international character;
  - 2. internal tension, unrest, uprisings and state of emergency;
  - 3. periods of transition from dictatorship to democracy or of threats to democracy;
  - 4. foreign occupation;
  - 5. natural disasters.
- B. The needs of specific groups, such as:
  - 1. women;
  - 2. children;
  - 3. indigenous peoples;
  - 4. refugees and internally displaced persons;
  - 5. political prisoners;
  - 6. minorities;
  - 7. migrant workers;
  - 8. disabled persons;
  - 9. persons with HIV/AIDS.

It is to be noted that the early adoption of the United Nations draft declaration relating to the rights and responsibilities of individuals and organs of society to promote and protect human rights would be a major contribution to the implementation of this aspect of the Plan.

## Research, information and documentation

Given the essential role of research, information and documentation for the implementation of the Plan of Action and the United Nations Public Information Campaign for Human Rights, a major effort should be directed towards diversifying information resources, documentation and teaching and learning materials directed to meet the practical needs of teaching and training at different levels and for different audiences. It is equally important to strengthen existing national, regional and international information networks, to help build new ones where necessary and also to encourage the creation of local information and documentation centres so that suitable materials are collected and skills developed in gathering information and documentation through:

- (i) inexpensive and easy access to up-to-date information;
- (ii) simple computerisation and search systems;
- (iii) identification, creation and strengthening of national, regional and international research centres and clearing-houses on human rights information;
- (iv) encouragement to share information - south/south, east/west and north/south serving both educators and documentalists of human rights and co-ordinated by a non-governmental organization active in the field of information;
- (v) protection and security of information gathered by fact-finding missions, human rights education projects, etc.;
- (vi) development of human rights media other than printed material that would include audio-visuals, transparencies, music, games, toys and other forms appropriate for reaching non-literate people and children. Means would have to be found to ensure the availability of such material in local languages;
- (vii) support for research based on a global view of human rights, taking into account the close interdependence between human rights, development, democracy and environment.

The role of UNESCO is of particular importance in enhancing the quality of publications in the area of human rights education and for the best use and distribution of information, documentation and materials. Such activities would require *inter alia* the strengthening of the infrastructure of UNESCO and close co-operation with other documentation and information centres, including those of the United Nations system.

## **Obstacles to overcome**

It is to be noted, in particular, that the success of the Plan depends on the understanding that planning; at all levels must be appropriate when confronting problems such as:

- (i) the absence of political will of certain partners;
- (ii) the dangers of marginalization of the process internationally as well as intranationally;
- (iii) the absence of target group involvement in the development and use of material, processes and policies;
- (iv) the potential use of unsuitable methodologies;
- (v) the lack of training of many participants;
- (vi) the insufficiency of co-ordination and co-operation between the national, regional and international levels;
- (vii) the occasional tendency to confine human rights education to the legal profession;
- (viii) the lack of a multidisciplinary approach;
- (ix) the resistance to change provoked by new relationships based on human rights.

## **CONCLUSION**

The challenge the World Plan of Action for Education on Human Rights and Democracy will have to meet is that of translating human rights, democracy and concepts of peace, of sustainable development and of international solidarity into social norms and behaviour. This is a challenge for humanity: to build a peaceful, democratic, prosperous and just world. Constant active education and learning is needed to meet such a challenge.

It is hoped that this plan of action will be implemented by committed nations, individuals, groups, every organ of society, and the international community at large, to ensure its full success for the benefit of present and future generations.

## **CONTRIBUTIONS TO THE PREPARATION OF A DECLARATION ON ACADEMIC FREEDOM**

The International Congress on Education for Human Rights and Democracy was convened in Montreal (Canada) from 8 to 11 March 1993, by UNESCO and the United Nations Centre for

Human Rights, in collaboration with the Canadian Commission for UNESCO.

The Congress confirmed the importance of adopting an international instrument on academic freedom.

Thus, the Montreal International Congress on Education for Human Rights and Democracy:

*Notes* the annexed contributions to a declaration on academic freedom;

*Decides* to bring to the attention of the Director-General of UNESCO the said contributions.

## OUAGADOUGOU DECLARATION ON THE EDUCATION OF GIRLS, BURKINA FASO, 1993<sup>1</sup>

### *Recognizing that:*

- there are 26 million African girls out of school, most of them in rural areas, and estimates show that this figure will increase to 36 million by the year 2000;
- Africa is lagging behind other regions of the world in female enrolment ratios and female literacy;
- illiteracy rates are over 60 per cent for women;
- the rapid population growth-rate has inhibited efforts to eliminate the disparity between boys and girls in the education system;
- there is need to abolish prevailing national policies which are not conducive to the enhancement of girls' education and the status of women.

### *Considering that girls' education contributes to improved quality of life and enhances national development through:*

- increased economic production rates;
- improved hygiene and nutritional practices;
- reduced child and maternal mortality rate;
- reduced fertility rate.

### *Noting that the:*

- World Conference on Education for All emphasized that its most urgent priority is to ensure access to and improve the quality of education for girls;
- Convention on the Rights of the Child (1989) established universal access to primary education with special emphasis on girls, as a goal for children development in the 1990s;
- World Summit for Children asserted that efforts for the enhancement of women's status and their role in development must begin with the girl-child;
- Sixth Conference of Ministers of Education and Those Responsible for Economic Planning in African Member States (MINEDAF VI, Dakar, 1991) emphasized the need for priority to be given to children of school-age and vulnerable groups, particularly girls and illiterate women.

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<sup>1</sup> Adopted at the Pan-African Conference on the Education of Girls.

This Conference calls upon:

- Governments to undertake analytic assessment of the social and educational situation of girls and women with the active participation of women's organizations and other non-governmental organizations, political and traditional leaders and representatives of various population groups with special emphasis on the co-operate bodies;
- Governments to give priority to quality and equity and administration targets for improving girls' education within the framework of national development plans;
- Governments of those countries in which the disparity between boys and girls in school is more than 10 per cent of the target population to eliminate such disparities by the year 2000;
- Governments to prepare and implement strategies to achieve such targets making the girl-child the focus of education planning and development;
- Governments and in particular the ministries of education to ensure that, by 1995, all teachers have received training on gender issues and that such issues be incorporated in the conventional teacher training programmes and the school curriculum;
- Governments introduce and reinforce regulations which will eliminate the employment of school-age girls as household help without opportunities for education;
- Governments to monitor the progress in their achievement and by 1995 to make the first progress report to the nation, the sub-region and the region, and in the global context to report progress to the International Forum on Education for All and United Nations World Conference on women in 1995, and thereafter to present biennial reports;
- regional, bilateral and international agencies and non-governmental organizations, to make the education of girls the number one priority in their development programmes and also to give priority to the development of rural water, roads and electricity which will ease the workload of the mother and hence the girl-child;



- spouses of heads of states, ministers and parliamentarians to form a pressure group for ensuring the education and welfare of the girl-child;
- educators to draw on the positive aspects of historical, cultural, and religious heritage as a means of improving education quality and equality;
- the Organization of African Unity to give priority to the education of the girl-child in the agenda of its upcoming OAU meeting in Cairo and further to take affirmative action in reducing the disparity between education of boys and girls as a follow-up to the Dakar consensus with special reference to the target to eliminate these disparities by the year 2000;
- the United Nations in its agenda for the upcoming World Conference on Women to put girls' education on the agenda and to include a round table on girls' education;
- governments and the international community to recognize and make reference to this declaration, as of today, as the **Ouagadougou Declaration.**

Adopted this first day of April, 1993  
The Conference

## SEOUL RECOMMENDATIONS ON DEMOCRACY AND TOLERANCE, REPUBLIC OF KOREA, 1994<sup>1</sup>

The participants of the International Conference on Democracy and Tolerance, organized by the Korean National Commission for UNESCO under the auspices and in co-operation with UNESCO and in collaboration with Hanyang University, Chonnam National University, and the Daewoo Foundation in Seoul from 27 to 29 September 1994, in conformity with Resolution 27 C/5.14 of the twenty seventh session of the General Conference of UNESCO, have agreed to adopt the following recommendations.

### I

1. The conference expressed its deep appreciation to the Korean National Commission for UNESCO for its generosity in hosting this meeting. The conference, which includes participants from many different countries, offered its encouragement for all efforts of governments and NGOs to promote tolerance, human rights, democracy and peace on the Korean peninsula and elsewhere.
2. The participants of the conference noted that the UN Charter in its Preamble enjoins the peoples of the world to practice tolerance and live together as good neighbours. On the eve of the 50th anniversary of the founding of the United Nations lamentably this goal has yet to be reached.
3. The post-Cold War world is fraught with instability, resurgent racism, ethnocentrism, and the danger that these pose for all peoples but it also offers new opportunities to make the practice of tolerance the basis of the conduct of national and international affairs. The opportunity must now be taken by the world community to overcome intolerance and to eliminate its sources.
4. The conference welcomed the proclamation by the United National General Assembly, at the initiative of UNESCO, of 1995 as the United Nations Year for Tolerance. Tolerance is one of the major principles necessary for the maintenance of peace, the prevention of armed conflicts and violence, and the restoration of a climate conducive to reconciliation in countries which have been torn by war or civil strife. The conference in its deliberations

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<sup>1</sup> Adopted at the International Conference on Democracy and Tolerance, Seoul, 27-29 September 1994.

brought out the inherent link between tolerance, democracy, the rule of the law, and respect for human rights and fundamental freedoms for all without distinction as to race, national or ethnic origin, language, gender, religion or belief.

5. While the virtue of tolerance is readily understood, it is not an easy concept to define. Tolerance must be understood as more than a passive acceptance or indifference to others but rather as a positive acceptance of human diversity. Tolerance does not require acceptance of those who act intolerably. The conference believes that tolerance is best realized in a fully democratic society. Further work needs to be undertaken to elaborate the relationship between the practice of tolerance and pluralist democracy, including pluri-ethnic democracy.

## II

6. The conference reminds States of the commitment of the World Conference on Human Rights in Vienna (1993) to ensure universal ratification of human rights instruments. The conference calls on States which have ratified international human rights instruments to withdraw all reservations to these instruments. It also reminds States that the World Conference declared that all human rights are universal, indivisible and interrelated.

7. The conference recalled that the Universal Declaration of Human Rights proclaims the right of everyone to a just social and international order. Governments from the richer countries must take effective action to make the world a more tolerable place for those millions of people who live in extreme poverty and degradation. The existence of widespread, extreme poverty inhibits the full and effective enjoyment of human rights and breeds intolerance and violence. Their immediate alleviation and eventual elimination must remain a high priority for the international community. This requires a new international basis for the sharing of resources.

8. States should introduce laws to prevent manifestations of ethnic, religious, national or sexist discrimination.

9. All governments should take immediate measures to develop strong policies to prevent and combat all forms and manifestations of racism, xenophobia and related intolerance, where necessary by enactment of appropriate legislation, including penal measures, and by the establishment of national institutions to combat such phenomena. Governments should take particular measures to protect migrant workers from discrimination and intolerance.

10. The conference calls on States to ensure the full implementation of the 1981 Declaration on the Elimination of All Forms of Intolerance Based on Religion or Belief and to ensure a full debate in the United Nations Commission on Human Rights on the question of the adoption of convention on freedom of religion or belief.

11. States must develop the capacity of the United Nations and regional organizations to play an effective role in the prevention of conflicts and in the work of peace-making and peace-keeping.

### III

12. All individuals and States should make efforts to foster tolerance towards others and to contribute to the establishment of a global culture of tolerance.

13. Human rights education should include education for tolerance. Education for human rights, tolerance, and democracy should encompass pre-primary, primary, secondary and vocational training, post-secondary colleges and universities as well as teacher training/education. Such education should extend beyond the school into adult education and the workplace.

14. Programmes on tolerance should also be included in education and training of security, army, law enforcement personnel, etc.; public officials and decision-makers; members of the medical and legal professions and media personnel.

15. Education for tolerance should also be included in the training of religious teachers.

16. National programmes to promote tolerance should involve NGOs and be based in the community. The conference was informed of the initiative on education for tolerance recently undertaken in Rio de Janeiro, Brazil. The conference recommends that this initiative, which involved co-operation between human rights organizations, schools, and community groups, be considered a model for other regions of the world.

### IV

17. The religions and beliefs of the world have a vital role in the promotion of tolerance and have a great responsibility to adhere to the ideals of tolerance and to practise tolerance within their own religious community and in their relations with other faiths. The

conference encourages inter-faith dialogues at all levels as an important means for promoting attitudes of tolerance within and between societies.

18. The mass media and others involved in providing information services have an important role in democratic society with regard to informing objectively citizens about all aspects of life of their own country and of the world. The importance of tolerance should be recognized and reflected in codes of conduct of all media.

## V

### **UNESCO Action for Tolerance**

19. The conference recommends that UNESCO develop a long-term programme of action in the field of tolerance, democracy and peace, including drafting a declaration containing guiding principles in this field.

20. Any such programme should bear in mind the following objectives:

- to create a climate conducive to co-operation, mutual understanding and harmonious interaction between peoples and communities;
- to advance popular recognition of the interdependence of the peoples of the world; to reduce or to prevent tension and violence;
- to reduce or prevent tension and violence;
- to inspire respect for freedom of conscience and the individual's spiritual and intellectual autonomy;
- to achieve acceptance of and respect for the positive values inherent in ethnic, religious, and cultural diversity existing in the contemporary world, including the cultures of indigenous peoples.

21. The conference supports the UNESCO initiative to proclaim a Day for Tolerance to be observed each year throughout the world in educational and public institutions. It also proposes that UNESCO establish a special award for outstanding contributions to the promotion of tolerance by means of education.

22. The conference also proposes that UNESCO establish chairs and centres within the UNITWIN network, to promote tolerance, peace, democracy and human rights by means of education, research, and publications.

23. The conference urges UNESCO to make a particular effort in the Year for Tolerance to involve the media as partners in the promotion of tolerance.

24. The conference recommends that UNESCO establish contact with organizers of local and regional programmes to promote tolerance and ensure that their achievements are recognized, publicized and studied.

25. The conference considers that UNESCO should take steps to evaluate and report on the proposed action programme on tolerance on a regular basis.

**DECLARATION ON THE ROLE OF RELIGION IN THE  
PROMOTION OF A CULTURE OF PEACE,  
BARCELONA, SPAIN, 1994**

We, participants in the meeting, «The Contribution by Religions to the Culture of Peace», organized by UNESCO and the Centre UNESCO of Catalunya, which took place in Barcelona from 12 to 18 December, 1994,

*Deeply concerned* with the present situation of the world, such as increasing armed conflicts and violence, poverty, social injustice, and structures of oppression;

*Recognizing* that religion is important in human life;

*Declare:*

**OUR WORLD**

1. We live in a world in which isolation is no longer possible. We live in a time of unprecedented mobility of peoples and intermingling of cultures. We are all interdependent and share an inescapable responsibility for the well-being of the entire world.
2. We face a crisis which could bring about the suicide of the human species or bring us a new awakening and a new hope. We believe that peace is possible. We know that religion is not the sole remedy for all the ills of humanity, but it has an indispensable role to play in this most critical time.
3. We are aware of the world's cultural and religious diversity. Each culture represents a universe in itself and yet it is not closed. Cultures give religions their language, and religions offer ultimate meaning to each culture. Unless we recognize pluralism and respect diversity, no peace is possible. We strive for the harmony which is at the very core of peace.
4. We understand that culture is a way of seeing the world and living in it. It also means the cultivation of those values and forms of life which reflect the world-views of each culture. Therefore neither the meaning of peace nor of religion can be reduced to a single and rigid concept, just as the range of human experience cannot be conveyed by a single language.
5. For some cultures, religion is a way of life, permeating every human activity. For others it represents the highest aspirations of

human existence. In still others, religions are institutions that claim to carry a message of salvation.

6. Religions have contributed to the peace of the world, but they have also led to division, hatred, and war. Religious people have too often betrayed the high ideals they themselves have preached. We feel obliged to call for sincere acts of repentance and mutual forgiveness, both personally and collectively, to one another, to humanity in general, and to Earth and all living beings.

### **PEACE**

7. Peace implies that love, compassion, human dignity, and justice are fully preserved.

8. Peace entails that we understand that we are all interdependent and related to one another. We are all individually and collectively responsible for the common good, including the well-being of future generations.

9. Peace demands that we respect Earth and all forms of life, especially human life. Our ethical awareness requires setting limits to technology. We should direct our efforts towards eliminating consumerism and improving the quality of life.

10. Peace is a journey - a never ending process.

### **COMMITMENT**

11. We must be at peace with ourselves; we strive to achieve inner peace through personal reflection and spiritual growth, and to cultivate a spirituality which manifests itself in action,

12. We commit ourselves to support and strengthen the home and family as the nursery of peace.  
In homes and families, communities, nations, and the world:

13. We commit ourselves to resolve or transform conflicts without using violence, and to prevent them through education and the pursuit of justice.

14. We commit ourselves to work towards a reduction in the scandalous economic differences between human groups and other forms of violence and threats to peace, such as waste of resources, extreme poverty, racism, all types of terrorism, lack of caring, corruption, and crime.



15. We commit ourselves to overcome all forms of discrimination, colonialism, exploitation, and domination and to promote institutions based on shared responsibility and participation. Human rights, including religious freedom and the rights of minorities, must be respected.

16. We commit ourselves to assure a truly humane education for all. We emphasize education for peace, freedom, and human rights, and religious education to promote openness and tolerance.

17. We commit ourselves to a civil society which respects environmental and social justice. This process begins locally and continues to national and trans-national levels.

18. We commit ourselves to work towards a world without weapons and to dismantle the industry of war.

### **RELIGIOUS RESPONSIBILITY**

19. Our communities of faith have a responsibility to encourage conduct imbued with wisdom, compassion, sharing, charity, solidarity, and love; inspiring one and all to choose the path of freedom and responsibility. Religions must be a source of helpful energy.

20. We will remain mindful that our religions must not identify themselves with political, economic, or social powers, so as to remain free to work for justice and peace. We will not forget that confessional political regimes may do serious harm to religious values as well as to society. We should distinguish fanaticism from religious zeal.

21. We will favor peace by countering the tendencies of individuals and communities to assume or even to teach that they are inherently superior to others. We recognize and praise the non-violent peacemakers. We disown killing in the name of religion.

22. We will promote dialogue and harmony between and within religions, recognizing and respecting the search for truth and wisdom that is outside our religion. We will establish dialogue with all, striving for a sincere fellowship on our earthly pilgrimage.

### **APPEAL**

23. Grounded in our faith, we will build a culture of peace based on non-violence, tolerance, dialogue, mutual understanding, and

justice. We call upon the institutions of our civil society, the United Nations System, governments, governmental and non-governmental organizations, corporations, and the mass media, to strengthen their commitments to peace and to listen to the cries of the victims and the dispossessed. We call upon the different religious and cultural traditions to join hands together in this effort, and to cooperate with us in spreading the message of peace.

## **CONCLUSIONS OF THE INTERNATIONAL COLLOQUIUM ON THE RIGHT TO HUMANITARIAN ASSISTANCE, PARIS, FRANCE, 1995**

UNESCO held a Colloquium on the Right to Humanitarian Assistance, in Paris, on 25, 26 and 27 January 1995. Taking part were intergovernmental, governmental and nongovernmental jurists, theoreticians and workers active in the provision of humanitarian assistance.

### **I**

The participants declared that the situations of extreme distress, the massacre of entire populations, famine and ethnic cleansing occurring in today's world were unacceptable and represented assaults on humanity. They emphasized that the rejection of despair, the necessity of more effective and more rapid action, and the urgent need to prevent future conflicts should make us think about improving existing legal and operational mechanisms and consider the possibility of establishing new ones. The participants welcomed the fact that consideration was also being given to these same issues within UNESCO, the intellectual organization of the United Nations system and an organization which had contributed to the spread of international law and the development of the content of humanitarian assistance by carrying out educational and cultural activities and action to promote independent media within the framework of United Nations peace-keeping operations.

### **II**

The Colloquium reviewed existing legal provisions in the area of humanitarian assistance. It examined the body of law consisting of the Geneva Conventions and their Additional Protocols, which made an invaluable contribution to the protection of the victims of armed conflicts and to the provision of material assistance, particularly through their provisions concerning the obligation to permit the free passage of aid to victims.

It also noted the limits to the field of application of that law and the extent to which it was not observed - something that was unhappily noted too frequently in conflicts. It tackled the essential problem of the conflict between the requirement for effective assistance and access to the victims and, on the other hand, regard for the sovereignty of the States concerned.

The participants emphasized the existence of causes of distress unconnected with the situations covered by the so-called Law of Geneva, such as natural disasters and situations of that kind, and internal disorders involving massive violations of human rights by a de jure or de facto authority. They also noted the development of new forms of radical confrontation which were of increasing concern to public opinion (which was also shocked by the tragic consequences of the failure to take protective action or by delays in organizing such action)

The Colloquium included among the factors of distress the role that poverty and backwardness in development played in amplifying the impact of natural disasters and in the emergence of many situations of internal or international tension.

### III

The participants in the Colloquium took note of the adoption by the United Nations of resolutions on matters of principle and on specific cases that could contribute to the development of custom that would broaden the scope and content of humanitarian law.

The participants noted with satisfaction the progress that international humanitarian assistance had been making for some years, owing mainly to the perseverance of representatives of the Red Cross movement, the commitment of non-governmental organizations, the efforts of United Nations agencies and the implementation of large-scale actions carried out by the United Nations itself or by States with United Nations authorization. They welcomed the great progress made in the range of services provided, particularly with regard to food, medical care, sanitation, housing, the treatment of polluted water, mineclearing operations, psychological assistance and the continuity of basic services such as education.

The participants in the Colloquium paid tribute to the enormous human and financial effort made to maintain assistance in certain countries, especially Cambodia, Somalia and Bosnia and Herzegovina, under particularly dangerous circumstances, even though resources were still, overall, inadequate. They paid tribute to all those men and women who were devoting their energy to easing the suffering of others, many giving their lives in doing so e.g. 'Blue berets' and members of multinational forces, ICRC delegates, members of national Red Cross and Red Crescent societies, NGO expatriate workers, and representatives of the various com-

ponent parts of the United Nations, not to mention the local helpers of those various people.

They also stressed the role played by the media in sounding the alert and in helping to get assistance actions under way, and paid tribute to the memory of journalists who had lost their lives in dangerous missions in areas where humanitarian assistance was being provided. They assessed the scale of involvement of the public, which had taken the form of the collection of considerable sums of private money in many countries, and welcomed the development of a culture of international solidarity, a vital element of the culture of peace.

#### IV

Nevertheless, the participants also raised questions regarding certain malfunctions and ways of promoting further progress.

It was stressed that certain major humanitarian assistance operations met with little understanding on the part of the general public, particularly on account of the ambiguity about the very concept of humanitarian assistance that was caused when humanitarian operations were carried out by armed forces entrusted with a non-military mission.

The Colloquium also noted the danger inherent in certain potentially equivocal rallying cries such as 'ingérence' (the right or duty of intervention).

#### V

The Colloquium explored the possibility of responding fully to the problem of people in distress, more specifically through the concept of a subjective right of all victims to assistance, whether or not those victims were covered by the Geneva Conventions or instruments relating to refugees. Consideration was given to the possible substance of such a right, to the services to be provided and to ways of delivering such services to victims. The Colloquium also focused its attention on the problem of determining the active and passive participants in such a right, the de facto conditions which should trigger its implementation at the international level, and effective ways of ensuring that such a right was respected.

## VI

The participants in the Colloquium urged UNESCO:

1. to reaffirm the need to meet, with humanity, neutrality and impartiality, the needs of victims, whatever the cause of their distress, not only by delivering emergency aid, but also by providing them with educational, intellectual and cultural assistance which was in keeping with their human dignity, proclaimed in the Universal Declaration of Human Rights;
2. to draw the attention of the international community to the urgent need to reduce the time-lag between the initial disclosure of an emergency situation which could not be dealt with at the national level and the launching of aid operations;
3. to insist on the vital necessity of allowing the direct access of aid to victims, as stipulated by United Nations General Assembly resolutions 43/131 and 45/100;
4. to call upon those States which had not already done so to ratify the Geneva Conventions and the Additional Protocols thereto;
5. to remind States of the obligation, contained in Article 1 of each of the 1949 Conventions, for them to respect and to ensure respect for the provisions of humanitarian law in all circumstances;
6. to continue examination of this matter, in particular from the point of view of the right of victims to receive assistance;
7. to organize shortly a colloquium on the reduction of humanitarian risks, and more especially on the prevention of armed conflict, taking due account of the *Agenda for Peace* of the Secretary-General of the United Nations.

## **ANNEXES**

- I. MAJOR UNESCO MEETINGS RELATED TO HUMAN RIGHTS**
- II. UNESCO PUBLICATIONS ON ISSUES RELATED TO HUMAN RIGHTS, DEMOCRACY AND PEACE**
- III. LIST OF UNESCO CHAIRS ON HUMAN RIGHTS, DEMOCRACY AND PEACE**
- IV. LIST OF THE 184 MEMBER STATES OF UNESCO (AND THE 4 ASSOCIATE MEMBERS MARKED WITH \*) OF UNESCO AS OF 1 JANUARY 1996**

## ANNEX I

### MAJOR UNESCO MEETINGS RELATED TO HUMAN RIGHTS<sup>1</sup>

As well as all meetings in the field of human rights held between 1990 to 1995, this list includes, for general information purposes, major meetings held between 1978 and 1989.

#### 1978 - 1989

First UNESCO Prize for the Teaching of Human Rights. Award Ceremony, UNESCO, Paris, 1978 (annually till 1981, then bi-annually).

First UNESCO Prize for Peace Education. Award Ceremony, UNESCO Paris, 1 October 1981 (annually).

International Congress on the Teaching of Human Rights -Vienna, Austria, 12-16 September 1978.

International Conference on Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms, with a View to Developing a Climate of Opinion Favourable to the Strengthening of Security and Disarmament - UNESCO, Paris, 12-20 April 1983.

International Congress on the Occasion of the Thirtieth Anniversary of the Associate Schools Project - Sofia, Bulgaria, 12-16 September 1983.

Meeting of Experts on the Application of the Agreements and the Protocol concerning the Importation of Educational, Scientific and Cultural Materials - UNESCO, Paris , 5-9 December 1983.

International Experts Meeting on the Problems connected with Rights of Peoples and the Historical and Practical Significance of these Problems - Harare, Zimbabwe, 2-5 December 1985.

International Congress on Human Rights Teaching, Information and Documentation - Malta, 31 August-5 September 1987.

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<sup>1</sup> Organized by UNESCO or under contract with UNESCO.



International Training Seminar on the Handling of Documentation and Information on Human Rights - Tokyo, Japan, 21-24 November 1988.

International Symposium on the Contribution of World Religions for the Realization of Human Rights - UNESCO, Paris, 7 February 1989.

International Congress on Peace in the Minds of Men - Yamassoukro, Côte d'Ivoire, 25 June-1 July 1989.

International Meeting on the 40th Anniversary of the Universal Declaration of Human Rights - UNESCO, Paris, 10 August 1989.

International Meeting concerned with Further Reflection on the Concept of the Rights of Peoples - UNESCO, Paris, 27-30 November 1989.

International Meeting on the Implementation in UNESCO's Field of Competence of the International Covenants on Human Rights - Ottawa, Canada, 4-7 December 1989.

First Meeting of Directors of Human Rights Institutes, UNESCO, Paris, 1989 (annually).

## **1990**

Workshop on Human Rights Issues for a Post-Apartheid South Africa - Banjul, Gambia, 18-21 June.

International Meeting on Democratic Culture and Development: Towards the Third Millennium in Latin America - Montevideo, Uruguay, 27-30 November.

## **1991**

Seminar on Cultural Rights of Peoples in Europe - Girona, Spain, 5-8 February.

Seminar on Promoting an Independent and Pluralistic African Press - Windhoek, Namibia, 29 April-3 May.

International Meeting on Bioethics and the Social Consequences of Bio-Medical Research - Moscow, USSR, 13-15 May.

International Forum on Culture and Democracy - Prague, Czech and Slovak Federal Republic, 4-6 September.

International Meeting for the Elucidation of the Concepts of Rights of Peoples - Budapest, Hungary, 25-29 September.

International Forum on Women and Democracy in Central and Eastern Europe - Prague, Czech and Slovak Federal Republic, 3-6 November.

## **1992**

International Conference on Academic Freedom and University Autonomy - Sinaia, Romania, 5-7 May.

International Workshop on Cultural and Educational Policies for a Post-Apartheid Society - Abidjan, Côte d'Ivoire, 16-19 June.

Seminar on Promoting Independent and Pluralistic Asian Media - Alma Ata, Kazakhstan, 5-9 October

International Colloquium on Human Rights - Tenerife, Canary Islands, Spain, 1-4 November.

International Meeting on Human Rights and Human Rights Education in the Process of Transition to Democracy - Prague, Czech and Slovak Federal Republic, 1-5 November.

International Forum on Education for Democracy - Tunis, Tunisia, 8-10 November.

Reflection Meeting on the Role and Challenges of Copyright on the Eve of the Twenty-First Century - UNESCO, Paris 16-19 November.

Training Workshop on the Convention on the Rights of Child - Trieste, Italy, 23-25 November.

## **1993**

International Congress on Education for Human Rights and Democracy - Montreal, Canada, 8-11 March.

Seminar on Peoples' Rights and European Structures - Manresa, Spain, 15-20 March.

Pan-African Conference on the Education of Girls - Ouagadougou, Burkina Faso, 28 March-1 April.

International Meeting on the Role of Churches in the Promotion of Culture of Peace - Barcelona, Spain, 13-18 April.

Interregional Meeting on Women and the Democratization Process - Sanaa, Yemen, 13-18 April.

Meeting on United Nations Peace-Building: Challenge for UNESCO - UNESCO, Paris, 7-8 July.

International Workshop on Democracy and Minorities in Post-Totalitarian Societies - Moscow, Russian Federation, 8-10 September.

International Symposium on the Occasion of the fortieth Anniversary of the Associated Schools Project - Soest, Germany, 12-17 September.

Workshop on Education for Democracy in Post-Communist Societies Warsaw, Poland, 24-25 September.

Ceremony Dedicated to the Silver Jubilee of the Biosphere Conference and of the MAB Programme - UNESCO, Paris, 7 October.

International Symposium: Peace, the Day After - Grenada, Spain, 9-10 December.

## **1994**

Workshop on Democracy, Human Rights and Development, Addis-Ababa, Ethiopia, 21-22 January.

First International Forum on the Culture of Peace - San Salvador, El Salvador, 16-18 February..

Meeting on Human Rights for Future Generations - Tenerife, Canary Islands, Spain, 25-26 February.

International Conference on Freedom of Elections and International Observation of Elections - Tenerife, Canary Islands, Spain, 27 February-2 March.

Seminar on Media Development and Democracy in Latin America and the Caribbean - Santiago, Chile, 2 May.

International Meeting on News Forms of Discrimination: Immigration, Refugees, Minorities, Indigenous People - Olympia, Greece, 13-14 May.

Meeting on Tolerance in Latin America and the Caribbean - Rio de Janeiro, Brazil, 12-16 September.

First Consultative Meeting of the Culture of Peace Programme - UNESCO, Paris, 27-29 September.

International Conference on Democracy and Tolerance - Seoul, Republic of Korea, 27-29 September.

International Conference on Migrants in the European Union: Between Integration and Xenophobia - Bonn, Germany, 14-15 November.

Meeting of Directors of Human Rights Institutes - Strasbourg, France, 7-8 December.

Meeting on the Contribution by Religions to the Culture of Peace - Barcelona, Spain, 12-18 December.

1994 UNESCO Prize for the Teaching of Human Rights. Award Ceremony - UNESCO, Paris, 26 January 1995.

## **1995**

International Colloquium on the Right to Humanitarian Assistance - UNESCO, Paris, 25-27 January.

International Meeting on the Concept and Development of a Culture of Peace Dedicated to the Memory of Martin Luther King - Harare, Zimbabwe, 13-17 February.

Meeting on Cultural Rights: Content and Implementation Fribourg, Switzerland, 23-25 March.

International Symposium on Women and the Media: Access to Expression and Decision-Making - Toronto, Canada, 27 March-3 April.

International Seminar on Teaching Means, Aids and Methodology in Education for Human Rights and Citizenship in Eastern and Central Europe - Prague, Czech Republic, 5-7 April.

International Seminar on Tolerance and Law - Sienna, Italy, 8-10 April.

Regional Conference on a Pedagogic Approach to Tolerance in the Mediterranean Basin - Carthage, Tunisia, 20-21 April

Workshop on Humanitarian Law - Moscow, Russian Federation, 25 April.

International Meeting on Experiences in the Process of Consolidation of Democracy in Central and Eastern Europe - Moscow, Russian Federation, 26-28 April.

Regional Seminar on Tolerance in Asia and the Pacific Region - New Delhi, India, 2-4 May.

Preliminary Symposium on Tolerance and Violence in Contemporary Societies - Moscow, Russian Federation, 16-18 June.

International Seminar on Tolerance for Mutual Understanding and Peace - Yakutsk, Russian Federation, 20-25 June.

International Forum « For Solidarity against Intolerance, for a Dialogue of Cultures » - Tbilisi, Republic of Georgia, 13-15 July.

Second International Forum on the Culture of Peace - Manila, Philippines, 27-29 November.

UNESCO Prize for Peace Education. Award Ceremony, Schlaining, Austria, 9 December.

## ANNEX II

### UNESCO PUBLICATIONS ON ISSUES RELATED TO HUMAN RIGHTS, DEMOCRACY AND PEACE

#### 1949

*A Symposium : Human Rights Comments and Interpretations.* Texts collected by UNESCO. Introduction by Jacques Maritain. Sagittaire, 239 p. Dutch, English, French, Spanish, Italian, Japanese.

#### 1950

*Freedom and Culture.* Introduction by Julian Huxley. London, Wingate, 270 p. Dutch, English, French. Reprinted by Books for Libraries Press, Freeport, New York, 1971.

*Human Rights.* Exhibition Album. 34 p. 110 plates. English, French, Spanish.

#### 1951

*Race and Biology.* Leslie Clarence Dunn. 48 p. (The Race Question in Modern Science). English, French, German, Hindi, Italian.

*Race and Psychology.* Otto Klineberg. 36 p. (The Race Question in Modern Science). English, French, German, Hindi, Italian, Spanish.

*The Roots of Prejudice,* 44 p. (The Race Question in Modern Science). French, English, Italian, Spanish, Malagasy, German, Hebrew, Hindi.

*Race et civilisation.* 48 p. (La question raciale devant la science moderne). Dutch, French, Italian, Malagasy.

*Racial Myths.* 54 p. English, French, German, Italian, Portuguese, Hindi.

#### 1952

*Race and History.* Claude Levi-Strauss, 47 p. (The Race Question in Modern Science). Catalan, English, French, Japanese.

*Race and Class in Rural Brazil.* Ch. Wagley (ed.). 160 p. (Race and Society). 2nd edition 1972. English, French.

*Race and Society.* Kenneth Little (The Race Question in Modern Science). English, French, Malagasy.

*The Significance of Racial Differences.* Geoffrey McKay Morant, 51 p. (The Race Question in Modern Science). English, French, Hindi, Malagasy.

*What is Race? Evidence from Scientists.* 103 p. (The Race Question in Modern Science). English, French, Hindi.

*The Race Concept : Results of an Inquiry.* 103 p. (The Race Question in Modern Science). English, French, Hindi.

### 1953

*The Universal Declaration of Human Rights : A Guide for Teachers.* 87 p. (Towards World Understanding, 8). Arabic, English, Chinese, French, Japanese, Nepali, Sinhalese, Tamil.

*The Catholic Church and the Race Question.* Yves M. J. Congar. 62 p. (The Race Question and Modern Thought). English, French, Spanish.

*Les Elites de couleur dans une ville brésilienne.* Thales de Azevedo. 107 p.

*Race Mixture.* Harry L. Shapiro. 58 p. (The Race Question in Modern Science). English, French, Spanish.

*Women and Education.* H. Amanda Labarca; K.L. Joshi, P.D. Shukla, Mitra Mitrovich and Vida Tomsich. 264 p. (Problems in Education, 5). English, French.

### 1954

*Jewish Thought as a Factor in Civilization.* Reprint, 1961. 64 p. (The Race Question and Modern Thought). English, French, Spanish, Yiddish.

*The Ecumenical Movement and the Racial Problem.* W.A. Wisser't Hooft. 70 p. (The Race Question and Modern Thought). English, French, Spanish.

## 1955

*Contacts de civilisations en Martinique et en Guadeloupe.* Michel Leiris. Paris, UNESCO/Gallimard, 192 p. (Race et société). Reprinted in 1987.

*The Political Role of Women.* Maurice Duverger. 221 p. English, French.

## 1956

*The Race Question in Modern Science.* Paris, UNESCO/New York, Whiteside, 373 p. New material: 1975.

## 1958

*Buddhism and the Race Question.* George Peiris Malalasekera and Kulatissa Nanda Jayatilleke. 73 p. (The Race Question and Modern Thought). English, French.

*Race and Culture.* Michel Leiris. 44 p. (The Race Question in Modern Science). English, French, Chinese, Dutch, German, Hindi, Italian, Malagasy, Thai.

*Minorities in the New World.* Charles Wagley. Six case studies by C. Wagley and Marvin Harris. New York/London, Columbia University Press.

*Race and Society.* Kenneth L. Little. 56 p. (The Race Question in Modern Science). English, French, Malagasy.

## 1959

*Education for International Understanding. Examples and Suggestions for Classroom Use.* 116 p. English, French, Spanish.

*Race, Prejudice and Education.* Harold Cyril Bibby. London, Heinemann. 90 p. English, French, Hebrew, Hindi, German, Dutch.

*Treaty-Making Power of International Organizations.* J.W. Schneider. Geneva/Paris, Droz, Minard, 151 p.



## 1960

*Le Racisme devant la science.* Gallimard. 544 p. 2nd revised edition 1973.

*Race Relations and Mental Health.* Marie Jahoda. 48 p. (The Race Question in Modern Science). English, French.

*The Jewish People: a Biological History.* Harry L. Shapiro. 2nd impression 1963. 84 p. (The Race Question in Modern Science). English, French, Portuguese.

## 1961

*The Universal Declaration of Human Rights.* Essays based on addresses delivered at the 12th Summer School of the World Federation of United Nations Associations (WFUNA), Palais des Nations, Geneva, July 1958. Geneva, Sprint. 39 p.

## 1962

*Equality of Rights between Races and Nationalities in the USSR.* Ivan Petrovic Tsamerian and S.L. Ronin. 106 p. (Race and Society). English, French.

*The Fight Against Discrimination : Towards Equality in Education.* Pierre Juvigny. 81 p. French, English, Spanish.

## 1963

*Los derechos humanos, la teoria de las necesidades, el proyecto de la UNESCO y la alianza para el progreso.* Jorge Castro Harrison. Lima, GUE « Bartolome Herrera ». 70 p.

## 1964

*The Defence of Human Rights in Latin America (Sixteenth to Eighteenth centuries).* Silvio Zavala. 65 p. (Race and Society). English, French, Spanish.

## 1965

*L'Éducateur devant le racisme.* Translated and adapted by the Centre de liaison des éducateurs contre les préjugés raciaux. Paris, UNESCO/Nathan. 108 p.

*Research on Race Relations : A Symposium.* 265 p. (Current Social Issues). English, French.

*Industrialization and Race Relations: A Symposium,* London/New York, Oxford University Press, 285 p. Compilation undertaken by the Institute of Race Relations in consultation with UNESCO.

### 1966

*La Educación y Las Relaciones Raciales.* Cybil Bibby. Buenos Aires, Comisión Nacional de la República Argentina para la UNESCO. 120 p.

### 1967

*The University Teaching of Social Sciences : International Law.* René-Jean Dupuy, 152 p. (Teaching in the Social Sciences). English, French.

*Apartheid: Its Effects on Education, Science, Culture and Information.* 205 p. 2nd edition 1972 revised and enlarged. English, French, Italian, Russian.

### 1968

*Birthright of Man.* An anthology of texts on human rights prepared under the direction of Jeanne Hersch. French edition 1968, reprinted 1984 and 1990; English edition 1969, 591 p.; Italian edition 1971; Spanish edition 1973; German edition 1990.

*Droit international public : Le droit des organisations internationales.* Suzanne Bastid. Paris, Les Cours de droit, 333 p.

*Some Suggestions on Teaching about Human Rights.* 155 p. English, French, Spanish.

### 1969

*Problèmes de protection internationale des droits de l'homme.* René Cassin. Paris, Pédone, 482 p.

«Le rôle de l'UNESCO dans l'éducation de la jeunesse dans le respect des droits de l'homme et des libertés fondamentales». Hanna S. Saba. Paris, Pédone. p. 275-284, in *Amicorum*

*discipulorumque Liber I: problèmes de protection internationale des droits de l'homme.*

**1970**

*Cultural rights as Human rights.* 125 p. (Studies and Documents on Cultural Policies). English, French, Portuguese, Spanish.

*Islam and the Race Question.* 'Abd-al-'Aziz 'Abd-al-Qadir Kamil. 65 p. (The Race Question and Modern Thought). English, French, Arabic.

**1971**

*Organisations internationales et sanctions internationales.* David Ruzie. Paris, Colin. 224 p.

**1973**

*Comparability of Degrees and Diplomas in International Law A Study on the Structural and Functional Aspects.* René-Jean Dupuy and Gregory Tunkin. 75 p. (Studies on International Equivalencies of Degrees). English, French.

*Le Racisme devant la science.* New edition. 385 p. (1st edition published in 1960, 2nd edition in 1965).

**1974**

*Cultural Rights.* Imre Szabo. Leiden, Sythoff. 116 p.

*Race as News.* 173 p.

*Racism and Apartheid in Southern Africa : South Africa and Namibia.* Anti-Apartheid Movement (UK). 156 p. Illus. Maps. English, French.

*Two Studies on Ethnic Group Relations in Africa : Senegal, the United Republic of Tanzania.* 156 p. illus. English, French, Spanish.

**1975**

*Implementation of Economic, Social and Cultural Rights : Political Problems and Progress.* Manouchehr Ganjdi. New York, United Nations. 345 p.

*Race, Science and Society.* Leslie Clarence Dunn; Nikolaj Petrovich Dubinin; Claude Levi-Strauss; Michel Leiris; Otto Klineberg; André Beteille; E. U. Essien-Udom; Gien Tjwan Go; John Rex; Max Gluckman; Leo Kuper. 2nd edition. Paris, UNESCO/London, Allen and Unwin; New York, Columbia University Press. 370 p. 1st edition : *The Race Question in Modern Science*, 1956. *Includes Statement on Race, 1950. Statement on the Nature of Race and Race Differences, 1951. Proposals on the Biological Aspects of Race, 1964. Statement on Race and Racial Prejudice, 1967.*

*Racism and Apartheid in Southern Africa : Rhodesia, A Book of Data.* Reginald Austin. 122 p. English, French.

*Women, Education, Equality : A Decade of Experiment.* Mary Pilain and Ann Calkins. 108 p. English, French, Spanish.

*Lois et traités sur le droit d'auteur.* Supplément 1973. Paris, UNESCO/Librairie générale de droit; Geneva, WIPO (World Intellectual Property Organization). 1012 p.

### 1976

*Moving Towards Change : Some Thoughts on the New International Economic Order.* 137 p. English, Arabic, French, Russian, Spanish.

*Mucheke: Race, Status and Politics in a Rhodesian Community.* A.K.H. Weinrich. 278 p.

*La UNESCO y el Año Internacional de la Mujer.* Madrid, 35 p.

### 1977

*Ethnicity and the Media; an Analysis of Media reporting in the United Kingdom, Canada and Ireland.* James Dermot Halloran; Charles Critcher; Margaret Parker; Ranjit Sondhi; T. Josphe Scanlon; Philip Elliot. 376 p. (Race, Ethnicity and the Media).

*Race and Class in Post-Colonial Society. A study of ethnic group relations in the English-speaking Caribbean, Bolivia, Chile and Mexico.* (Collective work). 458 p. English, Spanish.

*Human Rights Aspects of Population Programmes, with Special Reference to Human Rights Law.* 154 p. English, French, Spanish.

*Namibia: the Effects of Apartheid on Culture and Education.* Marion O'Callaghan. 169 p.

*Southern Rhodesia: the Effects of a Conquest Society on Education, Culture and Information.* Reginald Austin and Marion O'Callaghan. 293 p.

*Thinking Ahead : UNESCO and the Challenges of Today and Tomorrow.* 363 p. English, French, Spanish.

## 1978

*International Dimensions of Human Rights.* Manual designed for human rights teaching in universities. General Editor: Karel Vasak. 780 p. English, French, Spanish, Japanese, Portuguese.

*Biology and Ethics.* Bruno Ribes. 200 p. English, French, Spanish.

## 1979

*Declaration on Race and Racial Prejudice.* Adopted by the UNESCO General Conference at its twentieth session. Paris, 27 November 1978. 47 p. English, French, Arabic, Russian, Spanish.

*Round Table on Apartheid.* 100 p. English, French.

*Towards a New International Economic Order.* Mohammed Bedjaoui. 287 p. (New Challenges to International Law, 1). English, French, Arabic, Spanish.

*The Child's Right to Education.* G. Mialaret (ed.). 258 p. English, French, Spanish.

*Trends in Ethnic Group Relations in Asia and Oceania.* 292 p. (Race and Society). Collective work.

*Women and Racial Discrimination in Rhodesia.* A.K.H. Weinrich. 143 p. English, French, Spanish.

*From Concertation to Consensus.* Amadou-Mahtar M'Bow, Director-General of UNESCO. 198 p. (UNESCO and the Solidarity of Nations, 2). In English, French and Spanish.

## 1980

*Apartheid : Power and Historical Falsification.* Marianne Cornevin. 144 p. (Insights, 3). English, French, Spanish.

*The European Cultural Charter : Preliminary Studies.* Strasbourg, Council for Cultural Co-operation. 100 p. English, French.

*International Congress on the Teaching of Human Rights. Vienna, 1978.* Working documents and recommendations. English, French.

*Liberté, égalité, fraternité ou les fluctuations d'une devise.* Gérald Antoine. 186 p.

*Studies on Women in Southeast Asia.* Leela Dube. UNESCO Regional Office, Bangkok. 78 p.

*Women in the Media.* 120 p.

*Peace on Earth : A Peace Anthology.* 235 p. English, French.

*Sociological Theories: Race and Colonialism.* 499 p.

*La Naissance de l'état par la guerre de libération nationale: le cas de la Guinée Bissau.* Paulette Pierson-Marthy. (New Challenges to International Law, 2). 155 p.

*Pour un monde à la mesure de l'homme.* Napoléon Leblanc, Chams Eldine El-Wakil and Pope John Paul II. 55 p.

## 1981

*Apartheid and Social Research.* John Rex. 199 p.

*The Concept of International Organization.* Georges Abi-Saab. 245 p. English, French.

*A Diagnostic Analysis of the Education System in Namibia.* A. Mauno Mbamba: IIEP, 86 p. (IIEP Occasional Papers, 58).

*Anti-Development: South Africa and its Bantustans.* Donald Moerdijk. 194 p.

*Human Rights : Questions and Answers.* Leah Levin. 86 p. Illus. English, French, Arabic, Spanish, Finnish, Swedish, Portuguese, Greek.

*Reporting from Southern Africa. Western News Agencies reporting from Southern Africa.* Phil Harris. 168 p. English, Spanish.

*Apartheid: A Teacher's Guide.* Godfrey N. Brown. 104 p. Also in French.

## 1982

*Childhood Inequalities and Development.* Doha, University of Qatar. 233 p. English, Arabic.

*Immigrant Workers in Europe : Their Legal Status.* Study Director: Éric-Jean Thomas. 245 p. (Collective work). English, French.

*Racism, Science and Pseudo-Science* (Acts of a seminar held in Athens, 30 March - 3 April 1981). 1982. 162 p. English, French, Spanish.

*The Right to Education : What Kind of Management?* Daniel Haag. 175 p. (Studies and Surveys in Comparative Education). English, French, Spanish.

*Science and Racism : The Unnatural Alliance.* Philippe Lefait. 35 p. English, French, Spanish.

*UNESCO Prize for Peace Education 1981, and every year to 1994.* English, French, Spanish.

## 1983

*Déclaration universelle des droits de l'homme et réalités sud-africaines.* Marion Raoul. 215 p. French, Spanish.

*Women's Studies and Social Sciences in Asia.* UNESCO Regional Office, Bangkok.

*Droits de solidarité, droits des peuples.* Saint-Marin, Secrétariat d'État aux affaires étrangères. Commission nationale de Saint-Marin pour l'UNESCO. 173 p.

*Educación, Etnias y Descolonización en América latina: Una Guía para la Educación Bilingüe Intercultural.* Memesio J. Rodriguez;

Elio K. Masferrer; Paul Vargas Vega. Santiago, Orealc; Mexico City, Instituto Indigenista Interamericano. 2 vols.

*History in Black and White: An Analysis of South African School History Textbooks.* Elizabeth Dean; Paul Hartmann; May Katzen. 137 p. English, Spanish.

*Human Rights in Urban Areas.* 169 p. English, French.

## 1984

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## ANNEX III

### LIST OF UNESCO CHAIRS ON HUMAN RIGHTS, DEMOCRACY AND PEACE

#### Algeria

Chair for Teaching, Research and Education for Human Rights, Democracy and Peace at the University of Oran Es-Senia, established in 1995.

#### Argentina

Chair on Cultural Rights at the University of Palermo, established in 1994.

#### Belarus

Chair for Human Rights and Democracy at the Belorussian State University, Minsk, established in 1994.

#### Benin

Chair on Education for Democracy and Human Rights at the National University of Benin, Cotonou, established in 1995.

#### Brazil

Chair on Peace, Human Rights, Democracy and Tolerance at Sao - Paulo University, established in 1995.

#### Bulgaria

Chair for Civic Education at St Kliment Ochridski University, Sofia, established in 1994.

#### Colombia

Chair for Democracy and Human Rights at Luis Carlos Galan Institute for Development and Democracy, Bogota, established in 1994.

### Ethiopia

Chair for Human Rights and Democracy at the Addis-Ababa University, established in 1994.

### Jordan

Chair for Human Rights and Democracy at the Al al-Bayt University, Amman, established in 1994.

### Mexico

Chair on Human Rights at the National Autonomous University of Mexico (in process of creation).

### Namibia

Chair for Democracy and Human Rights at the University of Namibia, Windhoek, established in 1994.

### Poland

Chair for Human Rights and Peace at Nicolaus Copernicus University, Torun, established in 1993.

### Republic of Korea

Chair for Peace, Democracy and Human Rights, at the Korea University, Seoul, established in 1995.

### Russian Federation

Chair for Human Rights and Democracy at Moscow State Institute of International Relations of the Ministry for Foreign Affairs and the Moscow Independent Institute of International Law, established in 1994.

### Slovak Republic

Chair for Human Rights Education at Comenius University Bratislava, established in 1992.

### South Africa

« Oliver Tambo » Chair of Human Rights, University of Fort Hare, established in 1995.

### Spain

Chair for Peace, Parliamentary Democracy and Human Rights at the University of La Laguna, Canary Islands, established in 1991.

### Venezuela

Itinerant Chair on Human Rights at the « Fundación de Derechos Humanos », Caracas, established in 1991.

## ANNEX IV

### LIST OF THE 184 MEMBER STATES (AND THE 4 ASSOCIATE MEMBERS MARKED WITH \*) OF UNESCO AS OF 1 JANUARY 1996

Afghanistan	Congo
Albania	Cook Islands
Algeria	Costa Rica
Andorra	Côte d'Ivoire
Angola	Croatia
Antigua and Barbuda	Cuba
Argentina	Cyprus
Armenia	Czech Republic
Aruba*	Democratic People's Republic of Korea
Australia	Denmark
Austria	Djibouti
Azerbaijan	Dominica
Bahamas	Dominican Republic
Bahrain	Ecuador
Bangladesh	Egypt
Barbados	El Salvador
Belarus	Equatorial Guinea
Belgium	Eritrea
Belize	Estonia
Benin	Ethiopia
Bhutan	Fiji
Bolivia	Finland
Bosnia and Herzegovina	France
Botswana	Gabon
Brazil	Gambia
British Virgin Islands*	Georgia
Bulgaria	Germany
Burkina Faso	Ghana
Burundi	Greece
Cambodia	Grenada
Cameroon	Guatemala
Canada	Guinea
Cape Verde	Guinea-Bissau
Central African Republic	Guyana
Chad	Haiti
Chile	Honduras
China	Hungary
Colombia	Iceland
Comoros	

India	Nigeria
Indonesia	Niue
Iran, Islamic Republic of	Norway
Iraq	Oman
Ireland	Pakistan
Israel	Panama
Italy	Papua New Guinea
Jamaica	Paraguay
Japan	Peru
Jordan	Philippines
Kazakstan	Poland
Kenya	Portugal
Kiribati	Qatar
Kuwait	Republic of Korea
Kyrgyzstan	Republic of Moldova
Lao People's Democratic Republic	Romania
Latvia	Russian Federation
Lebanon	Rwanda
Lesotho	Saint Kitts and Nevis
Liberia	Saint Lucia
Libyan Arab Jamahiriya	Saint Vincent and the Grenadines
Lithuania	Samoa
Luxembourg	San Marino
Macao*	Sao Tome and Principe
Madagascar	Saudi Arabia
Malawi	Senegal
Malaysia	Seychelles
Maldives	Sierra Leone
Mali	Slovakia
Malta	Slovenia
Marshall Islands	Solomon Islands
Mauritania	Somalia
Mauritius	South Africa
Mexico	Spain
Monaco	Sri Lanka
Mongolia	Sudan
Morocco	Suriname
Mozambique	Swaziland
Myanmar	Sweden
Namibia	Switzerland
Nepal	Syrian Arab Republic
Netherlands	Tajikistan
Netherlands Antilles*	Thailand
New Zealand	The former Yugoslav Republic of Macedonia
Nicaragua	Togo
Niger	

Tonga  
Trinidad and Tobago  
Tunisia  
Turkey  
Turkmenistan  
Tuvalu  
Uganda  
Ukraine  
United Arab Emirates  
United Republic of Tanzania  
Uruguay  
Uzbekistan  
Vanuatu  
Venezuela  
Viet Nam  
Yemen  
Yugoslavia  
Zaire  
Zambia  
Zimbabwe