
The aim of the Barometer is to measure the extent to which these rights are respected, in each country where EI has members.

Since the publication of the previous Barometer in 2001, 7 new countries and territories have become affiliated with EI: Afghanistan, Cambodia, East Timor, Kazakhstan, Kuwait, Serbia, Ukraine and Uzbekistan. This brings the total number of countries and territories covered in this edition to 162.

In this edition, the highlight on Gender Equality is included, as it constitutes one of the eight Millennium Development Goals adopted by the UN and one of the chief objectives of the Education For All initiative. Adopted by the World Education Forum in Dakar in 2001, the Education For All plan of action predicted the achievement of gender parity in primary and secondary education by 2005. However, the Barometer will help the reader realise that this will certainly not be achieved, at least within the timeframe given.

Furthermore, the reader will see that despite the adoption of international instruments, child labour is still a grim reality in many countries. Likewise, numerous governments pay lip service to the realisation of academic freedom, while education personnel are deprived of their fundamental rights to participate fully in social dialogues.
Table of Contents

<table>
<thead>
<tr>
<th>Country</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>16</td>
</tr>
<tr>
<td>Albania</td>
<td>18</td>
</tr>
<tr>
<td>Algeria</td>
<td>20</td>
</tr>
<tr>
<td>Angola</td>
<td>22</td>
</tr>
<tr>
<td>Anguilla</td>
<td>24</td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td>25</td>
</tr>
<tr>
<td>Argentina</td>
<td>27</td>
</tr>
<tr>
<td>Australia</td>
<td>29</td>
</tr>
<tr>
<td>Austria</td>
<td>31</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>33</td>
</tr>
<tr>
<td>Bahamas</td>
<td>35</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>36</td>
</tr>
<tr>
<td>Barbados</td>
<td>38</td>
</tr>
<tr>
<td>Belgium</td>
<td>40</td>
</tr>
<tr>
<td>Belize</td>
<td>42</td>
</tr>
<tr>
<td>Benin</td>
<td>44</td>
</tr>
<tr>
<td>Bermuda</td>
<td>46</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>47</td>
</tr>
<tr>
<td>Botswana</td>
<td>49</td>
</tr>
<tr>
<td>Brazil</td>
<td>51</td>
</tr>
<tr>
<td>British Virgin Islands</td>
<td>53</td>
</tr>
<tr>
<td>Brunei</td>
<td>54</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>56</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>58</td>
</tr>
<tr>
<td>Burundi</td>
<td>59</td>
</tr>
<tr>
<td>Cambodia</td>
<td>61</td>
</tr>
<tr>
<td>Cameroon</td>
<td>63</td>
</tr>
<tr>
<td>Canada</td>
<td>65</td>
</tr>
<tr>
<td>Cape Verde</td>
<td>67</td>
</tr>
<tr>
<td>Central African Republic</td>
<td>68</td>
</tr>
<tr>
<td>Chad</td>
<td>70</td>
</tr>
<tr>
<td>Chile</td>
<td>72</td>
</tr>
<tr>
<td>China - Hong Kong</td>
<td>74</td>
</tr>
<tr>
<td>Colombia</td>
<td>76</td>
</tr>
<tr>
<td>Congo, Democratic Republic of the</td>
<td>79</td>
</tr>
<tr>
<td>Congo, Republic of the</td>
<td>81</td>
</tr>
<tr>
<td>Cook Islands</td>
<td>83</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>84</td>
</tr>
<tr>
<td>Côte d’Ivoire</td>
<td>86</td>
</tr>
<tr>
<td>Croatia</td>
<td>88</td>
</tr>
<tr>
<td>Curacao</td>
<td>90</td>
</tr>
<tr>
<td>Cyprus</td>
<td>92</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>94</td>
</tr>
<tr>
<td>Denmark</td>
<td>96</td>
</tr>
<tr>
<td>Djibouti</td>
<td>98</td>
</tr>
<tr>
<td>Dominica</td>
<td>100</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>102</td>
</tr>
<tr>
<td>Ecuador</td>
<td>104</td>
</tr>
<tr>
<td>Egypt</td>
<td>106</td>
</tr>
<tr>
<td>El Salvador</td>
<td>108</td>
</tr>
<tr>
<td>Eritrea</td>
<td>110</td>
</tr>
<tr>
<td>Estonia</td>
<td>112</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>114</td>
</tr>
<tr>
<td>Fiji</td>
<td>116</td>
</tr>
<tr>
<td>Finland</td>
<td>118</td>
</tr>
<tr>
<td>France</td>
<td>120</td>
</tr>
<tr>
<td>Gabon</td>
<td>122</td>
</tr>
<tr>
<td>Gambia</td>
<td>123</td>
</tr>
<tr>
<td>Georgia</td>
<td>124</td>
</tr>
<tr>
<td>Germany</td>
<td>126</td>
</tr>
<tr>
<td>Ghana</td>
<td>128</td>
</tr>
<tr>
<td>Greece</td>
<td>130</td>
</tr>
<tr>
<td>Grenada</td>
<td>132</td>
</tr>
<tr>
<td>Guatemala</td>
<td>133</td>
</tr>
<tr>
<td>Guinea</td>
<td>135</td>
</tr>
<tr>
<td>Guinea-Bissau</td>
<td>137</td>
</tr>
<tr>
<td>Guyana</td>
<td>138</td>
</tr>
<tr>
<td>Haiti</td>
<td>140</td>
</tr>
<tr>
<td>Honduras</td>
<td>143</td>
</tr>
<tr>
<td>Hungary</td>
<td>145</td>
</tr>
<tr>
<td>Iceland</td>
<td>147</td>
</tr>
<tr>
<td>India</td>
<td>148</td>
</tr>
<tr>
<td>Indonesia</td>
<td>150</td>
</tr>
<tr>
<td>Ireland</td>
<td>152</td>
</tr>
<tr>
<td>Israel</td>
<td>154</td>
</tr>
<tr>
<td>Italy</td>
<td>156</td>
</tr>
<tr>
<td>Country</td>
<td>Page</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Jamaica</td>
<td>158</td>
</tr>
<tr>
<td>Japan</td>
<td>160</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>162</td>
</tr>
<tr>
<td>Kenya</td>
<td>164</td>
</tr>
<tr>
<td>Kiribati</td>
<td>166</td>
</tr>
<tr>
<td>Korea (South)</td>
<td>167</td>
</tr>
<tr>
<td>Kosovo</td>
<td>169</td>
</tr>
<tr>
<td>Kuwait</td>
<td>171</td>
</tr>
<tr>
<td>Kyrgyzstan</td>
<td>173</td>
</tr>
<tr>
<td>Latvia</td>
<td>175</td>
</tr>
<tr>
<td>Lesotho</td>
<td>177</td>
</tr>
<tr>
<td>Liberia</td>
<td>178</td>
</tr>
<tr>
<td>Lithuania</td>
<td>179</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>181</td>
</tr>
<tr>
<td>Macedonia (Former Yugoslav Republic of)</td>
<td>182</td>
</tr>
<tr>
<td>Malawi</td>
<td>184</td>
</tr>
<tr>
<td>Malaysia</td>
<td>186</td>
</tr>
<tr>
<td>Mali</td>
<td>188</td>
</tr>
<tr>
<td>Malta</td>
<td>190</td>
</tr>
<tr>
<td>Mauritius</td>
<td>192</td>
</tr>
<tr>
<td>Mexico</td>
<td>194</td>
</tr>
<tr>
<td>Moldova</td>
<td>196</td>
</tr>
<tr>
<td>Mongolia</td>
<td>198</td>
</tr>
<tr>
<td>Montenegro</td>
<td>200</td>
</tr>
<tr>
<td>Montserrat</td>
<td>202</td>
</tr>
<tr>
<td>Morocco</td>
<td>203</td>
</tr>
<tr>
<td>Mozambique</td>
<td>205</td>
</tr>
<tr>
<td>Namibia</td>
<td>207</td>
</tr>
<tr>
<td>Nepal</td>
<td>208</td>
</tr>
<tr>
<td>Netherlands</td>
<td>210</td>
</tr>
<tr>
<td>New Caledonia</td>
<td>212</td>
</tr>
<tr>
<td>New Zealand</td>
<td>214</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>216</td>
</tr>
<tr>
<td>Niger</td>
<td>218</td>
</tr>
<tr>
<td>Nigeria</td>
<td>220</td>
</tr>
<tr>
<td>Norway</td>
<td>222</td>
</tr>
<tr>
<td>Pakistan</td>
<td>224</td>
</tr>
<tr>
<td>Palestine</td>
<td>227</td>
</tr>
<tr>
<td>Panama</td>
<td>229</td>
</tr>
<tr>
<td>Papua New Guinea</td>
<td>231</td>
</tr>
<tr>
<td>Paraguay</td>
<td>232</td>
</tr>
<tr>
<td>Peru</td>
<td>234</td>
</tr>
<tr>
<td>Philippines</td>
<td>236</td>
</tr>
<tr>
<td>Poland</td>
<td>238</td>
</tr>
<tr>
<td>Portugal</td>
<td>240</td>
</tr>
<tr>
<td>Romania</td>
<td>242</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>244</td>
</tr>
<tr>
<td>Rwanda</td>
<td>246</td>
</tr>
<tr>
<td>Saint Kitts and Nevis</td>
<td>248</td>
</tr>
<tr>
<td>Saint Lucia</td>
<td>249</td>
</tr>
<tr>
<td>Saint Vincent and the Grenadines</td>
<td>250</td>
</tr>
<tr>
<td>Samoa</td>
<td>251</td>
</tr>
<tr>
<td>São Tomé and Principe</td>
<td>252</td>
</tr>
<tr>
<td>Senegal</td>
<td>254</td>
</tr>
<tr>
<td>Serbia</td>
<td>256</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>258</td>
</tr>
<tr>
<td>Singapore</td>
<td>260</td>
</tr>
<tr>
<td>Slovakia</td>
<td>262</td>
</tr>
<tr>
<td>Slovenia</td>
<td>264</td>
</tr>
<tr>
<td>Solomon Islands</td>
<td>265</td>
</tr>
<tr>
<td>South Africa</td>
<td>267</td>
</tr>
<tr>
<td>Spain</td>
<td>269</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>271</td>
</tr>
<tr>
<td>Suriname</td>
<td>273</td>
</tr>
<tr>
<td>Swaziland</td>
<td>275</td>
</tr>
<tr>
<td>Sweden</td>
<td>277</td>
</tr>
<tr>
<td>Switzerland</td>
<td>279</td>
</tr>
<tr>
<td>Taiwan</td>
<td>281</td>
</tr>
<tr>
<td>Tanzania</td>
<td>283</td>
</tr>
<tr>
<td>Thailand</td>
<td>285</td>
</tr>
<tr>
<td>Timor</td>
<td>287</td>
</tr>
<tr>
<td>Togo</td>
<td>289</td>
</tr>
<tr>
<td>Tonga</td>
<td>291</td>
</tr>
<tr>
<td>Trinidad and Tobago</td>
<td>292</td>
</tr>
<tr>
<td>Tunisia</td>
<td>294</td>
</tr>
<tr>
<td>Turkey</td>
<td>296</td>
</tr>
<tr>
<td>Tuvalu</td>
<td>298</td>
</tr>
<tr>
<td>Tuvalu</td>
<td>298</td>
</tr>
</tbody>
</table>
United States of America 302
United Kingdom 305
Uruguay 307
Uzbekistan 308
Vanuatu 310
Venezuela 312
Zambia 314
Zimbabwe 316

Appendices 319

UN Convention on the Rights of the Child 319
ILO Convention 29: Forced Labour 332
ILO Convention 87: Freedom of Association and Protection of the Right to Organise 339
ILO Convention 98: Right to Organise and Collective Bargaining 343
ILO Convention 100: Equal Remuneration 346
ILO Convention 105: Abolition of Forced Labour 349
ILO Convention 111: Discrimination (Employment and Occupation) 351
ILO Convention 138: Minimum Age 354
ILO Convention 169: Indigenous and Tribal Peoples 359
ILO Convention 182: Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour 368
ILO Recommendation 190: Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour 371

Main published sources 375
In 1990, 155 governments met in Jomtien, Thailand and promised the children of the world that Education For All would be a reality by the year 2000. Education is a right of all children by virtue of its inclusion in the Universal Declaration of Human Rights adopted by United Nations in 1948. Following Jomtien many of us believed that, at last, Education For All would become a reality. The millennium came and went and millions of children are still not in school. Millions are receiving only a few hours of education per week combined with work. Millions more are receiving no education at all and toiling long hours in intolerable conditions. Disabled children are often denied their right to education. The belief that one only has to insert a sentence in a constitution to have all rights apply equally presumes that we all start from an equal base. We do not. And to attain equality of opportunity some need more services than others do.

One hundred and eighty five governments met in Dakar, Senegal in the year 2000 and examined what had been achieved in the decade since Jomtien. This led to the adoption of the Dakar Framework for Action in April 2000. This time children were promised that Education For All would be a reality by 2015. What will happen now? Will this fine Declaration be set-aside until 2015 and the children of the world be forgotten by all but a few? Once again will we be able to see how children really rate in real politik. Or will something be really done to kick start the process and to ensure that every effort is made to achieve the objectives outlined in the Dakar Framework?

It was serendipitous that events, outside Education International’s control, meant that EI’s 3rd World Congress in 2001 was held in Jomtien, Thailand – that same place where so many hopes had been raised only to be dashed. Among issues discussed at the Congress was the failure of governments to deliver Education For All. A newly formed coalition of Education International and its affiliates, in partnership with NGOs, will help ensure that the promises made at Dakar will be realised. The Global Campaign for Education For All coalition was charged with putting – and keeping – the issue at the top of political agendas.

In Dakar in 2000, the Framework For Action set out ten goals and adopted a time frame to achieve them. The governments of the world were to complete national action plans by 2002. Not all did. Gender parity in education is to be achieved by 2005. It is now 2004 and the statistics provided by the most recent EFA Global Monitoring Report 2003/4 show that over 30 countries are at risk of not achieving gender parity within the deadlines set. UNICEF has identified what it considers the 25 most at risk countries and is working with governments and a range of partners to “achieve robust and sustainable gains in gender parity in primary and secondary education” by 2005. If this ambitious project and other programmes do not achieve their objectives, even if they over run the year 2005, the chances are the EFA deadline of 2015 will not be met either. For example, the latest ILO glob-
al child labour estimates confirm what many have feared: that “the number of children trapped in the worst forms of child labour is actually greater than previously assumed.” It is now estimated that 179 million girls and boys under the age of 18 are victims of the worst forms of child labour.

Education unions, members of EI, cannot stand on the sidelines. We must do whatever is required to ensure that governments make Education For All a priority. Those that have produced Plans of Action and made commitments to achieve them must be held accountable and must find the necessary funds to deliver on their promises. The wealthy segment of the world must also contribute to this process as has been promised. EI believes that all countries have a responsibility to help achieve universal basic education. It is an achievable goal. It is the right of all children.

The Barometer’s contribution is to highlight the successes and failures of the governments of the 160 countries and territories where Education International (EI) has affiliates. We welcome member organisations who have affiliated to EI since the 2nd edition and EI membership now includes organisations in Afghanistan, Cambodia, Kazakhstan, Kuwait, Timor-Leste, and Uzbekistan.

This edition reflects on policies adopted by the 3rd World Congress of EI and the priorities for action that were outlined during a week of intensive debate. The Barometer examines education rights, gender parity, academic freedom, child labour and trade union rights. We look at these areas because we believe that we must examine not only what is spent on education and the numbers of children who are in school but also we need to look at the conditions provided to help children learn. We must examine whether or not educators have freedom to teach. We need to know not only the conditions and the rights education personnel are entitled to but also what is happening on a country by country basis. The right to education and rights in education are therefore under the microscope.

### Education Rights

*Everyone has the right to education. Education shall be free, at least at the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. Article 26(1)*


The Barometer’s twelve indicators are based on statistics published by UNDP’s “Human Development Report 2003 – Millennium Development Goals: A compact among nations to end human poverty” (HDR) and UNESCO’s “Global Monitoring Report 2002, Education for All – Is the World On Track?” (EFA). The EFA Global Monitoring Report 2002/3 has also provided interesting information. Where sta-
Statistics are not provided by either report (typically involving countries recently admitted to the United Nations, or dependent territories) equivalent information has been obtained, if available, from other official or reliable sources. Unfortunately, throughout The Barometer readers will find all too frequently the notation N/A (not available). Data gaps and discrepancies between national and international estimates come in for some strongly worded criticism from the HDR Report 2003. Sometimes the text provides an up-to-date indicator not contained in the Reports but in order to be consistent such information has not been shifted to the head-note indicators. The twelve indicators that have been examined are basically the same as in the 2001 Barometer. Any differences are explained in the notes that follow. UNICEF’s Child Risk Measure as included in the 2nd edition has been dropped, since it has not been updated. The indicators chosen are:

- **Population < 15** – the percentage of the population under age 15 is the proportion of the total population younger than 15 years of age. Statistics for 145 countries and territories are derived from HDR 2003, Demographic Trends, Human Development Indicators, pages 250-253 and apply to the year 2001. Comparable statistics for the remaining 17 countries and territories were obtained from other official or reliable sources.

- **Illiteracy** – the estimated percentage of the population aged 15 and above who are unable, with understanding, to either read or write a short, simple statement related to their everyday life. Statistics for 98 countries and territories are derived from HDR 2003, Human and income poverty, Developing countries, Human Development Indicators, pages 245-247 and apply to the year 2001. Comparable statistics for the remaining 64 countries and territories were obtained from other official or reliable sources.

- **Pre-primary gross enrolment** – total enrolment in education preceding primary education expressed as a percentage of the population age group corresponding to the national regulations for this level. Such programmes are variously referred to as infant education, nursery education, kindergarten, or early childhood education. Source: EFA, Table 4, pages 223-229. Applies to the period 1999/2000.

- **School life expectancy** – the number of years that a student is expected to remain at primary and secondary school or university, including years spent on repetition. Source: EFA, Table 5, pages 231-237. Applies to the period 1999/2000


- **% of the cohort reaching grade 5 in 2000** – the percentage of the children starting primary school who eventually attain grade 5 (grade 4 if the duration of primary school is four years). The estimates are based on the reconstructed cohort method, which used data on enrolment and repeaters for two consecutive years.

- **Pupil/teacher ratio in primary school** – the average number of pupils per teacher at the primary level. Statistics for 157 countries and territories. Source: EFA, Table 8, Pages 254-261. Applies to the period 1999/00.

- **Secondary gross enrolment** – the total enrolment in secondary education, regardless of age, divided by the population of the age group which officially corresponds to secondary schooling. Note the gross enrolment can be higher than 100 percent as a result of grade repetition and entry at younger and older ages than the typical grade-level age. Statistics from 157 countries and territories. Source: EFA, Table 7, Pages 246-253. Applies to the period 1999/00.

- **Life expectancy at birth** – the number of years a newborn infant would live if prevailing patterns of age-specific mortality rates at the time of birth were to stay the same throughout the child's life. Male and female life expectancy at birth are separated. Statistics for 148 countries and territories are derived from HDR 2003, Gender related development, Pages 310-313. Applies to the year 2001.

- **Tertiary students** – the actual number of students enrolled in tertiary education. Data for this indicator was provided by UNESCO's Institute for Statistics and in a majority of countries produced figures for 2000/01. As well as providing the total numbers of students the Institute extracted the number of female students for each country. This enabled The Barometer to comment on gender parity in higher education. Even when data was only available for 1999/00 or 1998/99 it still provided more informative and meaningful statistics than those produced in previous editions. The 1st and 2nd editions of The Barometer expressed tertiary student numbers per 100,000 inhabitants.

The following two final indicators consider each country's public expenditure on education:

- **% of GDP spent on education** – total public expenditure on education expressed as a percentage of the Gross Domestic Product.

- **% of the Government expenditure on education** – total public expenditure expressed as a percentage of total government expenditure.

Previous editions of The Barometer have cited Gross National Product (GNP) as a percentage spent on education. The current edition cites Gross Domestic Product (GDP). GDP may be defined as the sum of gross value added by all resident producers in the economy, including distributive trades and transport, plus any product taxes and minus any subsidies not included in the value of the products. GNP differs only in that it includes net receipts from abroad, a factor that has little or no bearing on public expenditure on education. The Barometer's source for the indicators is the HDR 2003 Report (pages 266-269), which prefers GDP.
These statistics help provide "snapshots" of the situation in education in each country. Where possible, gender disaggregate statistics are provided. If we are to have a true picture we must know who is in school and who is not. Generic education policies that do not address the specific needs of certain groups of children will not help meet their needs. This is particularly true of those who are currently marginalised or excluded within society and within education. Unless we identify those who are not in school, we will continue to leave out some children denied their right to education. It is for this reason we look at gender parity as a subset of education rights. The reality facing boys and girls is different no matter the situation in which they find themselves. Immigrant and refugee children, indigenous children, the children of ethnic minorities who face discrimination, children with special needs, working children – including child labourers - need to be included in education planning. Specific strategies, as the Dakar Framework For Action acknowledges, must be developed to include them in education.

Under Education Rights we focus principally on what chance a child currently has to a basic education and to a continuing education. We examine whether national governments have made a strong commitment, or for that matter any commitment, to improve their performance. Through this lens we look at more than the money spent. We look for strategies governments are developing to improve teacher training. Once trained are teachers assigned fairly? Are governments still using rural postings as disciplinary measures rather than making it more attractive to work outside urban areas? Are teachers paid regularly or are they still showing up for work despite the fact that salaries are months in arrears? Are there classrooms to teach in? Are didactic materials available? Are there toilet facilities for children and teachers? And beyond basic education is further education available for an elite few or for all qualified children? Where does technical and vocational education relate in the education scheme? We believe these snapshots provide a better understanding of the conditions on a country by country basis.

Gender Parity

"Investing in the education of girls has a high pay off. Education helps to increase (women’s) productivity to a significant extent, thereby adding to household incomes and reducing poverty. It also increases personal and social well-being. When parents, in particular mothers, are educated, their children – both boys and girls – will be healthier, better nourished and have a greater chance of going to school and doing well there. Investing in educating girls now is one of the best ways of ensuring that future generations will be educated," stresses the Director of the UNESCO EFA Global Monitoring Report.

Statistics in previous editions show gaps in education exist between boys and girls. The 3rd edition raises gender parity as a specific issue. We note that even where
there is disparity or discrimination, girls usually manage to succeed against the odds and, in a surprising number of countries, seek higher education. In some countries gender discrepancy in access to education is considerable. Traditional and cultural factors play a major part in denying girls their right to an education. In too many cases the goal of gender parity by 2005 appears unrealistic and unless a massive effort is made on the issue it will be unrealistic by 2015. We note that a number of governments provide genuine incentives for girls to attend school but traditional social bias restrains their participation. Strategies to deal with negative social attitudes are needed and will differ depending on the situation. We have included the percentage of women teachers working in primary schools where this information is provided. The data comes from the Education For All Global Monitoring Report 2003/4 which states... the lowest level of feminisation of primary teachers is in countries where gender disparities are highest. National education unions have a role to play in helping to devise strategies to address these issues. Schools do not exist in a vacuum and teachers must be very careful that they do not continue discriminatory social practices in their classrooms.

Domestic violence against women and girls is a universal phenomenon. The classrooms and playgrounds of the world’s schools have a vital role in helping to change the attitudes that tolerate and perpetuate violent behaviour.

Pay disparity by gender exists in developed and developing countries although the constitutions of many countries support equal pay for equal work The Barometer reveals that very few respect the law in practice. Women still have to fight the odds to get ahead and the glass ceiling is no closer to really being cracked, never mind removed, than it was several generations ago. Women do hold positions in government, in management and at decision-making levels but they are in the minority. Only when we no longer have to note that women have risen to certain positions will we have made true progress. It is against this background that we are trying to achieve gender parity in education.

**Academic freedom**

Whether or not academic freedom is infringed or circumscribed can be a defining element in identifying the degree of freedom granted within a country. It is in this area that the published reports examined for The Barometer provide the least amount of information. There are numerous publications and websites devoted to explaining what academic freedom is, to whom it applies and how issues such as tenure relate to academic freedom. But despite the dearth of country-specific information, several elements need further examination. Self-censorship exists. In some countries faculty members believe that to speak out on issues that may be interpreted as critical of the government or of institutional policy will threaten their job or opportunities for advancement. Several countries fall into this cate-
Child Labour

The 3rd World Congress of EI refers to the elimination of child labour as a 'shared commitment' by society. This is not an issue that can simply be legislated against or eradicated by having huge numbers of 'inspectors.' In some societies acceptance of child labour is often deeply ingrained. Children are 'easy victims.' They are vulnerable and exploitable in so many ways. In addition to the traditional forms of child labour, where awareness raising has met with some success, it is very clear that there is a significant increase in trafficking of children, in the numbers of abandoned children, in the number of sexually exploited children and in other criminal activity that involves children. These issues will not evaporate with reform legislation alone. They require concerted national and international societal efforts. National borders do not provide the barriers needed to stop trafficking. Increased efforts must be made to break the silence that exists in a number of cultures that accept child abuse. This is needed regardless of whether we are dealing with exploitative child labour or where a blind eye is turned to the sale and trafficking of children for the purposes of prostitution and pornography. The sexual exploitation of children is not only a problem in the countries with poor economies. It cannot be said that it is strictly the result of poverty. Industrialised countries are also part of the problem. The vulnerability of trafficked children to HIV/AIDS infection is increasing. We are complicit if we do not speak out and act on these matters.

Trade Union Rights

As has been done in previous editions the Barometer outlines the laws and regulations governing trade union rights and the attitude of governments and employers in implementing those rights. Whenever possible the focus is on what rights the teaching profession have. The Barometer also reports specifically when these rights are violated. Often these abuses are dealt with by the International Labour Organisation or the International Confederation of Free Trade Unions highlights...
them in its annual report. In other instances EI members have provided information on the violation of their rights. In a few cases we also report on changes in legislation that strengthens trade union rights in certain countries. Unfortunately we also have to report on governments that bypass collective agreements and that try to find ways to avoid providing education personnel with the right to bargain collectively. Where the rapport is good between teacher unions and the government it is gratifying to note that education unions can spend time and energy to help improve education – not only at the national level – but by assisting colleagues in countries where trade union rights are trampled. The listing of ILO Conventions that have been ratified highlights the conventions included in the Declaration of Fundamental Principles and Rights at Work adopted by the ILO in 1998. The list of conventions includes one that is not part of the Declaration but is important to EI and its members. Convention 169 deals with the Rights of Indigenous and Tribal Peoples and was adopted in 1989. If education personnel are expected to teach about human rights and to promote the right to education, as they must, then their fundamental rights must also be respected. There is still much work to be done.
EDUCATION RIGHTS: Hundreds of schools nationwide were opened or reopened for three million children in March 2002. Girls were able to return to school and did so in large numbers. EI member organisations, particularly JTU Japan, provided materials for thousands of children to help ease their return to school. Other assistance, provided by EI and its affiliates, helped teachers organise. Decision on the curriculum to be used in the schools has been under debate. Various curricula were used some of which pre-dated the Russian occupation.

GENDER PARITY: Approximately 85% of the women are illiterate and, in rural areas, illiteracy rates among women are nearly 100%. Since the fall of the Taliban, there have been some improvements in the status of women, especially in the area of education. Discrimination against women varies from province to province and from town to town. Education for girls and employment for women is dependent upon local male leadership and local male attitudes toward women’s rights. Herat Province, for example, reported 97,906 girls enrolled in school in 2002 and security was not considered a problem. In contrast, a northern girls’ school was set on fire, a small bomb detonated at a co-educational primary school in Kandahar and leaflets distributed urging citizens not to cooperate with foreigners. In Wardak Province rockets badly damaged a school and a message left near the school denounced the influence of foreigners on women and girls. Female civil servants and teachers have been able to return to work in parts of the country. International organisations and NGOs employ Afghan women.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Northern Alliance officials publicly state that their soldiers must be at least 18 years of age. Press sources, however, report that pre-teen soldiers are used in Northern Alliance forces. According to labour laws, children under the age of 15 are not allowed to work more than 30 hours per week. However, there is no evidence that authorities in any part of the country enforce laws relating to the employment of children. Children from the age of 6 often work to help support their families by herding animals in rural areas and by collecting paper and firewood, shining shoes, begging, or collecting scrap metal from among street debris in the cities. Some of these practices expose children to the danger of landmines. There is anecdotal evidence of trafficking of Afghan girls to Pakistan, Iran, and the Gulf States. Some girls reportedly are kept in brothels used by Afghans. The whereabouts of many of the girls, some as young as 10 years old, reportedly kidnapped and trafficked by the Taliban, remains unknown.

TRADE UNION RIGHTS: The revival of the 1964 Constitution and a mixture of labour laws from earlier periods provide some protection of workers. Labour rights are not defined beyond the Ministry of Labour, and in the context of the breakdown of governmental authority there is no effective central authority to enforce them. The only large employ-
ers in Kabul are the governmental structure of minimally functioning ministries and local and international NGOs. Current law is not fully in compliance with internationally recognised workers rights to form free trade unions. The country lacks a tradition of genuine labour-management bargaining. There are no known labour courts or other mechanisms for resolving labour disputes. Wages are determined by market forces, or, in the case of government workers, dictated by the government. Teachers were among the first group to reorganise in Afghanistan and the new Association is assisting with the provision of training for teachers.

EI member organisation / Membership:
Teachers’ Support Association (ATSA) / 1 000

Life expectancy rates are estimated at 43 to 46 years for men and 44 to 45 years for women. Approximately 45% of the population is made up of children under age 15. Médecins Sans Frontières reported in 2000 that 250 000 children die every year of malnutrition. These figures most likely have increased due to drought, intensified fighting, and massive displacement. A UNICEF study reports that most children are highly traumatised and expect to die before reaching adulthood. 70% of children have seen acts of violence, including the killing of parents or relatives. Women and children constitute 75% of the refugee population. Some of the two million refugees who returned to Afghanistan in 2002 did so spontaneously. Neighbouring Iran and Pakistan forcibly repatriated others, but the majority was assisted by the United Nations High Commission for Refugees (UNHCR). The UN agency estimates that more than 3 million Afghan refugees remain in neighbouring countries. There are approximately 700 000 internally displaced persons (IDPs). Most of the returning refugees and IDPs settle in urban areas. This places an additional strain on cities’ already overburdened infrastructures, especially education and health.
EDUCATION RIGHTS: Education is free and compulsory for all children from age seven through to the 8th grade. Education indicators show that participation in basic education declined during the 1990s, the decade of transition from communist rule to a multi-party democracy. The government’s plans to reform the education system have been detrimentally affected by a series of economic and social crises. In practice many children leave school earlier than allowed by law in order to work with their families, especially in rural areas. A lack of proper documents as a result of significant internal migration has deprived many students of the right to attend school. In November 2002, in an effort to rectify the problem, laws were passed creating a standardised national identification document. The Northeast region is notorious for ‘blood-feuds.’ Several thousand children have abandoned their education because their families are involved in vendettas that endanger their safety. Government schools are secular and the law prohibits female Muslim students from wearing headscarves in public schools. Greek-language public primary schools are provided in the south of the country where there is a significant ethnic-Greek population. Classes in Macedonian are also available for ethnic-Macedonians. Both minorities allege that their educational needs are inadequately catered for. Qualified Albanian students of Montenegrin origin are eligible for scholarships from the Montenegrin government to study in Montenegro. Roma are not considered a national minority and therefore Roma children do not qualify for education in their mother language thus perpetuating illiteracy within their community.

GENDER PARITY: According to a Save the Children report, in some rural areas, especially the Northeast, approximately 90% of female students dropout of secondary school. But in the cities and towns and southern districts women have equal access to education, including higher education. Women are not, however, accorded full and equal opportunity in their careers and it is common for well-educated women to be underemployed or to work outside their field of training; an increasing number open shops and small businesses. Many educated women migrate to Greece and Italy to seek employment. Some men, particularly those from the backward Northeastern part of the country, still follow the Kanun, a traditional code in which women are considered to be, and are treated as, chattels.

ACADEMIC FREEDOM: Reports do not cite government interference with academic freedom in 2002-03.

CHILD LABOUR: The Labour Code sets the minimum age of employment at 16 years and limits the amount and type of work that can be performed by persons under 18. Children aged 14 to 16 may work in light part-time jobs during the summer vacation. In rural areas many children drop out of school, in defiance of the Code, to work on their families subsistence farms. Albania is plagued by organised and semi-organised criminal activity. Albanian gangsters are involved in the worst forms of child labour and have ties with international crime organisations. The trafficking of girls for the purpose of forced prostitution is a significant problem. In a few cases, criminals kidnap children from their fami-
families or from orphanages to be sold into prostitution or paedophilia rings abroad. Women and girl children who manage to escape face rigid notions of family honour and it is extremely difficult for them to reintegrate into their communities. There are a number of children working as street vendors in urban areas. Roma children often work as beggars. Both groups are vulnerable to control by criminal gangs. NGOs report that inspectors, who are charged with investigating child labour complaints, do not give out fines, or convictions to those who violate child labour laws. A government committee, in partnership with NGOs, was established in 2000 to review children’s human rights in Albania and recommend strategies for improvement. The committee reports to the United Nations Convention on the Rights of the Child (UN CRC) in Geneva.

**TRADE UNION RIGHTS:** Workers have the right to form independent trade unions, and they exercise this right in practice. In most fields of employment, workers have the constitutional right to organise and bargain collectively, and the Labour Code establishes procedures for the protection of such rights through collective bargaining agreements. However, labour unions operate from a weak position, given the country’s high level of unemployment. In practice unions representing public sector employees negotiate directly with the Government. The law forbids strikes that are declared openly to be political or that are judged by the courts to be political.

EI member organisation / Membership:
Trade Union Federation of Education and Science of Albania [FSASH] / B 560
Independent Trade Union of Education of Albania [SPASH ITUEA] / 22 500
EDUCATION RIGHTS: Primary education in Arabic has been free and compulsory between the ages of six and 15 since 1975, and is free through secondary schooling and the university system. More than 85% of children completed the ninth grade in 2002. Islam is the state religion and its study is a strict requirement in public schools, all of which are regulated by government departments. The 2nd edition of the EI Barometer cited a 1999 presidential statement that Tamazight, the main Berber language, would never be officially recognised. But in April 2002 the President acknowledged Tamazight as a national language and from July 2003 it is included in the education system. There are 41 universities and institutions of higher education. Only the University of Algiers predates independence. A number of state institutes provide specialised technical, agricultural and vocational, as well as teacher training. In April 2002 a student strike in Algiers closed down two universities for four days. The students were protesting the arrest of over 500 persons in the Kabylie region. This occurred around the anniversary of the death in custody of a 19-year-old Berber high school student. Protests at the time of the student's death led to security forces killing 45 protesters and injuring nearly 500. Although the armed wing disbanded itself in January 2000 some terrorist action continues. EI launched an urgent action appeal (UAA) to offer humanitarian aid to member organizations SATEF, following the violent earthquake that shook the region near Alger on 22nd May 2003.

GENDER PARITY: Except in some remote rural areas statistics indicate there is now little disparity between boys and girls attending school. Female adult illiteracy declined during the 1990s from 59 to 43%. Gross secondary enrolment for females now exceeds that for males. Since 2002, women account for more than half the university student population. Women graduates enter such professions as medicine, teaching and law. They make up about 25% of the country's judges.

ACADEMIC FREEDOM: The government obstructed academic freedom during the years of civil turmoil between 1992 and 2000, and was especially wary of religious, political and economic subjects. Academic seminars, conferences, and university courses are now much less likely to attract government interference.

CHILD LABOUR: The minimum age for employment is 16 years. Inspectors from the Ministry of Labour enforce the minimum employment age by making periodic or unannounced inspection visits to public-sector enterprises. They do not effectively enforce the law in the agricultural or private sectors. Economic necessity compels many children to resort to informal employment, such as street vending.

TRADE UNION RIGHTS: Workers are required to obtain government approval to establish trade unions of their choice. Under the state of emergency, which remained in force through 2003, the government is empowered to require...
workers in both the public and private sectors to stay at their jobs in the event of an unauthorised or illegal strike. It can order the temporary closure of assembly places and ban demonstrations likely to ‘disturb the peace or public order.’ The right to strike is restricted by lengthy pre-strike procedures, including 14 days of mandatory conciliation, mediation or binding arbitration. If no agreement is reached in arbitration, workers can go on strike after voting by secret ballot to undertake such action. Unions report continuing harassment and persecution of members. The use of sanctions, threats and dismissals continues, as does obstruction of union organising. The unemployment rate is approximately 30% but as much as 70% of the population under 30 are unable to find adequate employment. During 2002 a 3-month nationwide strike for higher wages by university teachers was resolved in September. But another strike initiated by CNAPEST, an autonomous national council of the professors of secondary and vocational education, and supported by FNTE, a federation of educational workers, was not resolved by year’s end. EI’s affiliate, SATEF, recognised by the Ministry of Education as a consultative and negotiating body, was started in the Kabylie region and expanded its union activities to other regions in Algeria. In 2001, the third national Congress of SATEF was stopped by order of the Provincial Governor of Algiers on the basis that meetings could not be held in educational institutions. At SATEF’s request, EI has supported union leadership training courses. The authorities continue to disapprove of such activities by autonomous unions.

EI member organisation / Membership:
Syndicat Autonome des Travailleurs de l’Education et de la Formation (SATEF) / 23 040
EDUCATION RIGHTS: Civil war has plagued Angola since independence in 1975. As many as 1.5 million lives may have been lost in fighting during a quarter of a century. More than 2,000,000 persons remained internally displaced in 2003, even though the most recent serious hostilities ended in February 2002.

The Human Rights Watch Report of 2003 highlights that even peace, after such a devastating war, brings enormous problems: hundreds of thousands of family members of demobilised rebels joined half a million citizens previously living in rebel-held areas. The resettlement programme focuses first on returning soldiers to their home areas thus leaving women and children as a high percentage of the internally displaced population. The HIV virus is spreading rapidly in Angola, according to the UNAIDS report, and programmes are being developed to introduce sexual and HIV/AIDS education into the school curriculum. Peer education programmes are also being developed.

The 2nd edition of the EI Barometer reported a million children were out of school without the prospect of an education. In 2003, some 661,440 children were integrated into Angola’s national education, thanks to the construction of 5,512 classrooms countrywide in a joint effort by the government and social partners.

A shortage of teachers is a serious problem. Teachers are chronically unpaid and, according to one source, some often demand «fees» from students and their families. The country’s only universities, the University of Agostinho Neto, and The Catholic University of Angola are in the capital, Luanda.

GENDER PARITY: Unofficial figures state that only 42% of the population is literate, with literacy favouring males to females by two to one.

However, nearly 40% of students enrolled at university are women. According to the EFA Report, Angola is one of 31 countries unlikely to achieve gender parity by 2005.

ACADEMIC FREEDOM: Academic life was severely curtailed by the civil war. However, since the cessation of major conflict the government has not constrained academics from speaking and publishing freely. The government does, however, restrict student demonstrations. Agostino Neto University students, protesting in support of their professors, were forcibly dispersed during 2002.

CHILD LABOUR: The legal minimum age for employment is 14 years. However, family-based child labour in the subsistence agricultural sector is common. Child labourers are also prevalent in other sectors of the informal economy, especially in domestic service. Many thousands of abandoned, orphaned or run-away children live on the streets of...
Luanda and other urban areas. International reports state that some Angolan children are trafficked to Portugal, the United Kingdom and elsewhere in Europe for the purposes of prostitution and pornography.

**TRADE UNION RIGHTS:** The ICFTU concludes, in its 2003 report, that «the lack of democracy and restrictions on civil liberties mean that trade union rights abuses still continue...» The government either exercises control over unions or discriminates against them. The Constitution provides for the right to form and join trade unions, engage in union activity, take strike action, and to organise and bargain collectively, but the government does not consistently respect these rights in practice. During 2002, teachers took strike action in several provinces over lack of payment of salaries and conditions of work. In November 2003, EI affiliate SINPROF held a Congress. They now claim 35 000 members and have elected representatives from 15 of the 18 provinces. While the union is recognised by the government, it is not consulted regularly on issues concerning teachers or on education reform.

**EI member organisation / Membership:**
Sindicato Nacional de Professores (SINPROF) / 35 000
EDUCATION RIGHTS: The territory spends nearly 15% of its budget on education which is free and compulsory from age five to age 14. There are six government primary schools and a comprehensive secondary school. Some 37% of eligible students are enrolled in non-compulsory 11th to 13th grade study. Private early childhood education is subsidised by the government. A commitment to improve teacher training is a central platform of Anguilla’s Education For All (EFA) Report.

GENDER PARITY: Boys and girls graduate from secondary schooling in equal numbers but more females carry on to tertiary education.

ACADEMIC FREEDOM: The Territory relies on neighbouring countries with campuses affiliated to the University of the West Indies for tertiary education.

CHILD LABOUR: Although fishing is a source of foreign exchange, the main economic activities are tourism and an offshore finance sector. Consequently, an increased civil service calls for a better educated population. The administration is addressing the number of pupils, boys in particular, who drop out of school before completing their primary education.

TRADE UNION RIGHTS: Although Anguilla has assumed a substantial measure of responsibility for the conduct of its own affairs it does not have the capacity to ratify international instruments. Britain, however, encourages its Overseas Territories to conform to international instruments and basic human rights and freedoms to which it is itself a party.

EI member organisation / Membership:
Anguilla Teachers’ Union (ATU) / 66
ANTIGUA AND BARBUDA

Population: 67,448

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>28%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td></td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td></td>
</tr>
</tbody>
</table>

% GNP spent on education: 3.2%
Life expectancy at birth: m: 71.5 - f: 75.8
School life expectancy (years):
% 2000 cohort reaching grade 5:
Tertiary students per 100,000:
% government expenditure on education:

Ratification of ILO conventions: 29 87 98 100 105 111 138 169 182

EDUCATION RIGHTS: Education is free and compulsory from age five to age 16 and the state operates a free textbook scheme. However, Antigua does not constitutionally guarantee universal education and the country provides few up-to-date statistics. Access to early childhood programmes has been widely available for some years. According to the most recent information there are 30 public and 26 private primary schools, and nine public and four private secondary schools. There is no separate facility for juveniles who are held in prisons. Constitutional provisions prohibit discrimination against the physically disabled in employment and education but no specific laws mandate accessibility.

GENDER PARITY: Girls are less likely to drop out of school prematurely. There are no impediments to participation by women in government and politics but the Attorney General was the only woman in the cabinet in 2002. Women are well represented in the public sector; 54% of the public service and over half the permanent secretaries are female. Women make up 41% of the legal profession. According to the Labour Department, there is a high incidence of sexual harassment in both private and public sectors. Economic conditions in rural areas limit women to home and family, although some women work as domestics, in agriculture, or in the large tourism sector.

ACADEMIC FREEDOM: Antigua and Barbuda is a partner in the regional University of the West Indies. The Antigua State College offers a two-year teacher-training course. Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: In keeping with the provisions of the Education Act, the law stipulates a minimum working age of 16 years. The political strength of the two major unions and the powerful influence of the government on the private sector combine to make the Ministry of Labour, which is required by law to conduct periodic inspections of workplaces, very effective in enforcement of this area. The government also employs officers to monitor school attendance, and parents or guardians who disregard the law are prosecuted. A government-sponsored committee oversees the implementation of the United Nations Convention on the Rights of the Child (UNCRC) and UNICEF recommendations are used as the basis of a plan of action on «child survival, development and protection.» In August 2001, the police uncovered a child pornography and prostitution ring, and high-ranking members of society were reportedly implicated.

TRADE UNION RIGHTS: Trade unions are free to organise and bargain collectively. Employers found guilty of anti-union discrimination are not required to re-hire employees fired for union activities, but must pay full severance pay and full wages lost by the employee from the time of firing until the determination of employer fault. Approximately 75% of workers belong to a union. There were seven strikes or work-related protests during 2002. The Education Ministry intervened in a teachers’ dispute during the year.
Antigua and Barbuda gave refuge to thousands of Montserratians after the British Overseas Territory of Montserrat was devastated by a volcanic eruption in the mid 1990s. The refugees were absorbed into Antiguan society without significant impact on the unemployment rate. However, it placed a serious burden on the country’s social services. The United Kingdom eventually responded with financial and other assistance. As many as 3,000 Montserratians remain in the country. SEE ALSO MONTSERRAT.
ARGENTINA

Argentina Republic • Population: 37,812,817

Population under 15: 275%

Illiteracy: 3.1%

Pre-primary gross enrolment: 57.4%

Net enrolment first level: 107%

Secondary gross enrolment: m: 90.63 - f: 96.9%

Primary pupil teacher ratio: 22

% GNP spent on education: 4%

Life expectancy at birth: m: 71.1 - f: 79

School life expectancy (years): m: 14 - f: 15

% 2000 cohort reaching grade 5: 90%

Tertiary students per 100,000: 1,600,882

% government expenditure on education: 11.8

EDUCATION RIGHTS: Education is free, compulsory, and universal for a minimum of nine years beginning at age six. The government continues to express a strong commitment to education but insufficient funding is provided at both federal and provincial level. The economic, political and social crisis that gripped the country during 2002 disproportionately affected children - 75% of the country's children under age 12 live below the poverty line and nearly 40% of children are described as indigent. Malnutrition amongst children rose from eleven percent to twenty percent from 2001 to 2002. The Ministry of Health estimates that some 11,000 children die annually from preventable diseases, notably malnutrition. Primary school attendance, however, remains high even in the poorest communities due to school meal programmes, many of which remain open during school vacation periods. Racial prejudice based on skin colour and anti-Semitism are problems. During 2002 the Ministry of Education introduced a Holocaust Education Project into primary and secondary school curricula. Estimates of the indigenous peoples of Argentina vary from 700,000 to 1.5 million. They have a comparatively high rate of illiteracy and their constitutional entitlement to bilingual education is hampered by a lack of trained teachers. Some progress is noted in the education of disabled students. Argentina has 26 public universities, 49 private universities, and over 1,600 other tertiary institutions.

GENDER PARITY: Boys and girls attend primary school in equal numbers. A higher rate of female enrolments at secondary school is reflected in post-secondary education. Women account for over 61% of enrolments at the tertiary level. Domestic violence and sexual harassment of women remain commonplace despite the work of women’s NGOs to educate on the issues.

ACADEMIC FREEDOM: Legislation acknowledges academic freedom. The government did not restrict this right in 2002.

CHILD LABOUR: Government statistics, with ILO/IPEC corroboration, show a major rise in child labour during the period 1995-2000. Since then the unprecedented economic crisis has further increased the number of children in work. There are at least 1.5 million child labourers. In June 2002, a UNICEF reporter stated that in the large urban areas 60 percent of adolescents worked rather than studied. Anecdotal evidence from NGOs, church sources and a UNICEF report suggests that the sexual exploitation of children is widespread. Both Human Rights Watch (HRW) and Amnesty International (AI) Reports in 2003 quote the UN Committee on the Rights of the Child as expressing ‘deep concern’ at credible claims of torture and police brutality of which children were victims. Since 2000, the National Commission for the Eradication of Child Labour, largely financed by ILO/IPEC, works with organised labour, the business community, religious groups, the ILO, UNICEF, and NGOs. It has signed agreements with provinces to co-operate in addressing child
labour problems and conduct training activities. EI member organisation, CTERA, in partnership with EI and the ILO, recommends the implementation of Convention 182 and an improved education to eliminate child labour.

TRADE UNION RIGHTS: Prior to the 2002 crisis a national survey conducted by CTERA on teachers and the education system, revealed that the average teacher is female and aged between 25 and 45. Four out of every ten are heads of family, and over half of them live below the poverty line. All workers are free to form unions and have the right to strike. The Constitution provides unions with the right to negotiate collective bargaining agreements and to have recourse to conciliation and arbitration. However, the Labour Ministry ratifies such agreements intrusively, a process the ILO considers contradictory. The political and economic crisis was so vast that the country was virtually paralysed, leading to a de facto freeze in the system of collective agreements. During 2002 there were numerous protests and small-scale strikes, including in the education sector. On 26 June 2002, a group of teachers and government workers was dispersed with tear gas and pellets in Rio Negro when they tried to enter the Provincial Education Council to protest against the late payment of their salaries. Teacher organisations have demonstrated relentlessly for the restoration of bonuses promised under the Carpa Blanca protests of 2001, as reported in the 2nd edition of the EI Barometer. These bonuses, which represent only part of the government’s promise to teachers, have been suspended. CTERA continues to demand negotiations with the federal government to ensure that the next bonuses be paid.

El member organisation / Membership:
Confederación de Trabajadores de la Educación de la República Argentina (CTERA) / 230 000
Confederación de Educadores Argentinos (CEA) / 20 000
### AUSTRALIA

**Commonwealth of Australia • Population: 19,546,792**

<table>
<thead>
<tr>
<th>Education Rights</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education is primarily the responsibility of the individual Australian states. The federal government has responsibility for the university sector, and the Australian Capital Territory. Education is free and compulsory and universal and provided for children between the ages of six and 15 in all states except Tasmania, where the upper age is 16. Most children start their primary schooling at the age of five and transfer to the secondary level at the age of 12. Secondary schools and junior technical schools provide five or six-year courses that enable students to prepare for state examinations for university entrance. 67% of students complete 12 years of education. Children who reside in the rural outback participate in school through distance education programmes or receive government subsidies for boarding school. About 72% of students attend secular public schools, although students may attend religious classes. Private schools are usually denominational, principally Catholic, and charge tuition fees. The federal government assists the majority of private schools. Australia's schools face a shortage of 30,000 teachers within the current decade due to an imminent wave of retirements. More than a quarter of the teacher population will be eligible for retirement by 2007, and a further 50,000 soon afterwards. Almost 30% of teachers leave the profession within five years of qualifying. The state of Victoria leads the way in attracting and retaining teachers. The state government, after discussions with teacher unions, increased salaries by up to 17% covering the period 2001-04. Indigenous Aboriginal peoples and Torres Strait Islanders make up about 2.2% of the population. Only 31% of Aboriginal children complete secondary education compared with the national average of 85%. Compared to the rest of the Australian population the indigenous peoples have low life expectancy, high unemployment rates and are much more likely to be imprisoned. Aboriginal juveniles account for 55% of those between the ages of 10 and 17 held in corrective institutions. In 2001-02 the government committed itself to spending AUS$ 2.34 billion on indigenous-specific programmes in areas such as education. Legislation prohibits discrimination against disabled children in education and other state services. In 2003 as a result of campaigning by EI affiliate, AEU, children seeking asylum were allowed to attend schools outside detention centres. Australia has 38 universities, and a large number of colleges offering advanced education in specific subject areas.</td>
<td></td>
</tr>
</tbody>
</table>

### Gender Parity:

Females represent 50% of students enrolled at the nation’s universities and other institutions of higher education. Women have equal rights under the law, and the law provides for pay equity. However, women are only paid only 66% of their male counterparts' wages. The Workplace Relations Act (WRA) negotiates employment contracts privately and it is not possible to know if there are equal pay outcomes. Both the government and opposition parties are committed to increasing the number of women elected to public office.

### Academic Freedom:

Although reports do not indicate that the federal and state governments obstruct academic freedom, according to recent High Court decisions, the Constitution only implies the right to freedom of speech.
CHILD LABOUR: Compulsory educational requirements effectively prevent children from joining the workforce full-time until they are 15 or 16 years of age. Federal and state governments monitor and enforce a network of laws regarding minimum age to engage in specified occupations. There is known to be some child labour, particularly in agriculture and in family enterprises. The government has enacted legislation restricting the trade in, and possession of, child pornography. Suspected paedophiles may be tried in Australia regardless of where the crime with which they are charged was committed. A small number of children from Asia have been smuggled into the country, usually by organised crime, and typically for prostitution or to work in sweatshops. The federal government has taken no action to combat such exploitation. But the governments of the states of Victoria and New South Wales have enacted laws to curb such criminal activities and the worst forms of child labour.

TRADE UNION RIGHTS: The WRA restricts trade union activities and restricts strikes. The Act endorses confidential individual agreements which cannot be checked for breaches of minimum wages and employment conditions. The WRA agreements have primacy over federal and state awards, and over certified collective agreements, unless the agreements are already in force. The Act narrows the scope for legal strikes and increases the penalties for breaking the law. The WRA justifies prohibiting industrial action if it is deemed to have the potential to harm trade. The ILO states that linking trade to workers’ rights is unreasonable. The ILO Committee of Experts found, among other things, that the WRA was in breach of Article 4 of Convention 98. The federal government rejected the ILO’s findings and said that they were not relevant to the Australian workplace.

El member organisation / Membership:
Australia Education Union (AEU) / 153 350
National Tertiary Education Union (NTEU) / 25 446
Independent Education Union of Australia (IEU) / 36 800

Since the 2nd edition of the EI Barometer, Australia has been challenged about its observance of international human rights standards. This challenge has been in relation to the treatment of children of families seeking asylum, whether with their families or unaccompanied; the rights of the indigenous Aboriginal and Torres Strait Islanders; restrictive trade union practices; a disinclination to accede to the convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); and the failure to ratify ILO Conventions 138 and 182. The government has consistently rejected all concerns and recommendations to modify its policies and practices stating that it is tired of being criticised and in future will limit visits by committees, such as the UN Human Rights Committee to cases where there was a “compelling reason.”

FOOTNOTE: Responsibilities include Norfolk Island, a territory of Australia. (Population: 1 866).
EDUCATION RIGHTS: Nine years of education is free and compulsory for all children, beginning at age six. The government also provides free education throughout secondary school and subsidises technical and vocational education. The introduction of tuition fees in 2000 saw a 20% decline in university enrolments. In the 2000-01 school year, approximately 217,000 children attended 4,773 kindergartens, and 34,000 primary school teachers taught 400,000 children at 3,384 schools. 70% of secondary school students attended general schools and 30% attended academic schools. The total secondary enrolment of 1,520 schools was 348,000 students. They were taught by 54,000 teachers. Officially recognised religions enjoy special benefits, including state subsidies for religious teachers at both private and public schools. Austria has an extensive system of special schools and adult education centres. Some mother-tongue educational provision is made for Croatian, Hungarian and Slovene communities.

GENDER PARITY: Educational opportunity is equal for girls and boys at all levels of the education system. In the academic year 2000-01, women made up 51.2% of students attending institutions of higher education. An estimated 68% of women work and on average earn only 74 percent of what men earn for the same job. The law requires hiring of women ahead of men with equivalent qualifications in sectors of the civil service in which less than 40% of the employees are women. However, there are no penalties for failing to attain the 40% target. Women employed in the private sector may invoke equality laws prohibiting discrimination.

ACADEMIC FREEDOM: Available reports do not indicate there is any restriction of academic freedom.

CHILD LABOUR: The minimum legal working age of 15 years is enforced effectively and there are laws and policies to protect children from exploitation in the work place. Under the law, citizens engaging in sexual activities with children in a foreign country may be prosecuted, irrespective of whether or not an offence was committed under the laws of that country (long reach laws). There are severe penalties for the possession, trading and private viewing of pornographic materials involving children. Each provincial government and the federal government employs an «Ombudsperson for Children and Adolescents» whose main function is to resolve complaints about violations of children’s rights.

TRADE UNION RIGHTS: Workers have the right to form and join unions without prior authorisation. In practice, trade unions have an important and independent voice in the political, social, and economic life of the country. An estimated 50% of the work force is organised. Unions have the right to bargain collectively. The right to strike is not provided explicitly in the Constitution or in national legislation but it is recognised universally in practice. Historically, strikes have been few and usually of short duration. An unofficial tripartite system of ‘social partnership’ is a major rea-
son for the relatively good record of labour relations. At the centre of the system is the Joint Parity Commission for wages and prices, which has an important voice on major economic issues.

EI member organisation / Membership:
Gewerkschaft Öffentlicher Dienst/ Bundessektion Pflichtschullehrer (GÖD) / 15 000
AZERBAIJAN

Republic of Azerbaijan • Population: 7,798,497

| Population <15 | 30.9% | % GNP spent on education: | 4.2% |
| Illiteracy: | 2% | Life expectancy at birth: | m: 58.8 - f: 67.53 |
| Pre-primary gross enrolment: | 20% | School life expectancy [years]: |
| Net enrolment first level: | 91% | % 2000 cohort reaching grade 5: |
| Secondary gross enrolment: |  | Tertiary students per 100,000: | 163,305 |
| Primary pupil teacher ratio: | 20 | % government expenditure on education: | 24.4 |

Ratification of ILO conventions: 29 87 98 100 105 111 138 169 182

EDUCATION RIGHTS: Public education, funded by state, local and district budgets, is compulsory and universal until age 17. During 2002, the government estimated that 86.7% of school-age children attended school. However, due to economic constraints and the humanitarian crisis that resulted from the conflict with Armenia, many schools in Azerbaijan work two shifts per day and in some cases three. The post-Soviet era brought few structural changes to the education system. Initial alterations included the reestablishment of religious education and re-emphasis on the use of the Azerbaijani Turkophone language. The Soviet ideological content was replaced with a hard-line nationalistic one. The Roman alphabet replaced the Cyrillic alphabet. Textbooks are in short supply and free only at the primary level. The loss of 20% of Azerbaijan’s territory to Armenia displaced hundreds of thousands of school-age children, some 10,000 teachers, and reduced the country’s schools and other educational institutions by 916. Approximately 60,000 to 70,000 IDPs live in camps at below-subsistence levels, without adequate food, housing, education, sanitation, or medical care. The status of Chechen refugees fleeing Russia remains unclear and as a general rule their children are not able to enrol at public schools. There are a number of indigenous ethnic minorities constitutionally entitled to an education in their own language. Some groups complain that the authorities restrict this entitlement by failing to provide teaching materials and facilities. There are also complaints from citizens of Armenian and mixed Armenian-Azerbaijani descent that they are deprived of access to education and other rights due to their ethnicity. The country’s institutions of higher education include 20 universities.

GENDER PARITY: Although in some rural areas girls do not have equal access to education, in general there is no gender discrepancy in rates of school attendance. Females make up 50% of students enrolled at the university level. There are no legal restrictions on women’s participation in politics; however, traditional social norms limit women’s roles and they are underrepresented in elective offices.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom. Some tenured professors are active in opposition political parties.

CHILD LABOUR: The minimum age for employment is 16 years. The law allows children aged 14 and 15 to work with the consent of their parents. There is no explicit restriction on the type of labour that 15-year-old children may perform provided they have trade union consent. There were reports that some parents forced their children to beg. With high adult unemployment, there were few, if any, complaints of abuses of child labour laws. According to the International Organisation for Migration (IOM), the country is a transit point for trafficked women, men, and children.
TRADE UNION RIGHTS: Labour unions operate much as they did under the Soviet system and are linked to the government. The Constitution provides for freedom of association. There are no restrictions on the right to strike. During the year, there were several peaceful strikes to demand salary increases or payment of unpaid wages. The law provides for collective bargaining agreements to set wages in state enterprises. Unions do not effectively participate in determining wage levels. In a carryover from Soviet times, both management and workers are considered members of professional unions. Union dues are not always transmitted to the union by the employer, making it difficult for unions to undertake activities on behalf of their members. The Azerbaijan Education For All (EFA) Report described teacher salaries as very low and insufficient to support family requirements. Although the government increased teacher salaries, the increases were small and payment is often late. The number of teachers leaving the profession is a major concern for the education system.

El member organisation / Membership:
Independent Trade Union of Education Workers of Azerbaijan Republic (AITUCEW) / 310 000

Azerbaijan includes the region of Nakhichevan (Azerbaijani Naxçıvan), which has a predominately Shi’ite Muslim Azerbaijani population. Nakhichevan is geographically detached from Azerbaijan by an intervening strip of Armenian territory. Armenia argues that the region should be incorporated into its Republic. Azerbaijan also includes the highly disputed region of Nagorno-Karabakh, an enclave situated entirely inside its borders but with a predominately Armenian Christian majority. Azerbaijan cares for 800 000 internally displaced persons (IDPs) who left or were forced from their homes in Nagorno-Karabakh by Armenian forces during the 1990s.
EDUCATION RIGHTS: Education, compulsory between five and 16 years and is provided through 42 private schools and 163 state schools. Funding for schools is insufficient. Public schools, in particular, lack basic educational materials, and their facilities are typically overcrowded and dilapidated. The Constitution does not guarantee the right to a basic education. It is estimated that as many as 40,000 Haitian citizens reside in The Bahamas legally and are provided for within the education system. English is the language of instruction which disadvantages Creole-speaking Haitian children. The University of the West Indies has an extra-mural department in Nassau. The College of the Bahamas has links with several Florida universities. Although two-thirds of the population live on New Providence the College provides Distance Learning for students on the inhabited outer islands and cays of the archipelago. Tourism is a major source of income and the government operates a hotel training college as well as a technical and vocational institute. An Amnesty International (AI) delegation in August 2002 found children were detained with adults at the notorious Fox Hill prison. A new prison has a separate section for juvenile offenders. Orphans and younger children who are wards of the court are housed, according to gender, in special centres where they are entitled to continue their basic education.

GENDER PARITY: Adult literacy slightly favours females. The Constitution and the law contain a number of provisions that discriminate against women. A referendum in February 2002 rejected changes that would have given gender equality before the law. Prominent women of all political persuasions continue to push for amendments to redress this situation. Women are well represented in the business and professional sectors.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: Since the 2nd edition of the EI Barometer, the Bahamas has ratified ILO Conventions 138 and 182. The law prohibits the employment of children under the age of 14 for industrial work or work during school hours. Children under the age of 16 may not work at night. There is no legal minimum age for employment in other sectors, and some children work part time in light industry and service jobs. It is acknowledged that approximately 10,000 children are economically active, including garment home-workers.

TRADE UNION RIGHTS: Private sector and most public sector workers, including teachers, may form or join unions without prior approval. Almost one quarter of the workforce [and 80% of the workers in the important hotel industry] belong to unions. In order to resolve disputes more quickly, the Industrial Relations Act was amended in 1996 to establish an industrial tribunal. According to the Act, labour disputes are first filed with the Ministry of Labour and then, if not resolved, are turned over to the tribunal. Workers freely exercise their right to organise and participate in collective bargaining, which the law protects.

EI member organisation / Membership: Bahamas Union of Teachers (BUT) / 2,000
EDUCATION RIGHTS: With national and international assistance, the government is making significant progress in improving access to education. Universal primary education for children aged 6 to 10 was made compulsory in 1991, but the government was unable to implement the law fully because of a lack of resources. However, by 2002 over 80% of children in the compulsory age group were in school and most would complete the 5th grade. Because of limited facilities, many schools operate two shifts, resulting in children spending only three to four hours per day in the classroom. The financing of basic education is supplemented by local and foreign NGOs. For example, the country’s largest NGO provides education for 1.2 million rural children. The government, in partnership with UNICEF and NGOs, has brought education to 350,000 child labourers who live in urban slums. The ILO has undertaken specific education and social welfare programmes for more than 50,000 children. Despite this progress, Bangladesh along with Nigeria, Pakistan, India and the Democratic Republic of Congo, still accounts for 50% of all children who are out of school and have been included in the World Bank’s analytical list of fast track countries.

Legislation exists which provides protection against discrimination for the disabled, but in practice it has no effect on provision of necessary services. At the tertiary level, Bangladesh has 11 universities and some 1,700 general colleges, including 68 teacher training institutions. Clashes on campus between armed rival student political factions continues to inhibit seriously the ability of students to receive a university education and of teachers to teach. Several universities have been forced to close for prolonged periods of time. There are moves to prohibit student politics on campus.

GENDER PARITY: The literacy rate for women is approximately 29% compared with 52% for men. As part of a government initiative to bring gender parity to the education system, school is now free for girls up to the 12th grade. Boys receive free education to the 5th grade. According to the Education For All (EFA) Global Monitoring Report of 2003, girls account for 88.1% and boys 89.7% of the net enrolment ratio for primary school students (88.9%). 50% of secondary students and 33% of tertiary students are female. The number of women teachers at primary school level increased from 28% to 35% of the teaching staff between 1990 and 2000.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom. Self-censorship may apply to sensitive and contentious religious or political issues.

CHILD LABOUR: The government estimates that approximately 6.6 million children aged 5 to 14 years work. Working children are found in 200 different types of activities of which 49 are regarded as harmful to their physical and mental well being. The majority of child workers perform unpaid, working alongside other family members in small-scale and subsistence agriculture. In urban areas children are commonly seen driving rickshaws, breaking bricks at construction sites or carrying market produce for shoppers. In the shrimp industry they can be found as peelers, packers and...
beachcombers. As a result of a tripartite agreement to make the country’s garment factories child labour free, the employment rate of children under the age of 14 in the garment industry has declined to 5% from 43% in 1995. Reports from human rights organisations indicate that worst forms of child labour, such as trafficking for bonded labour and forced prostitution, are serious problems. Domestic service, akin to servitude, frequently results in abuse of children, mainly through mistreatment by employers. There is also extensive trafficking in children to other countries, primarily to the Middle East, India, Pakistan and South East Asia UNICEF has estimated that there are about 10 000 child prostitutes in Bangladesh. Some domestic NGOs place the figure as high as 29,000. Procurers of child prostitutes are rarely prosecuted, although the law stipulates a life sentence in prison on conviction.

**TRADE UNION RIGHTS:** The Constitution provides for the right to form or join unions. There are many restrictions, however. Before a union can be registered, 30% of workers in an enterprise have to be members. The union can be dissolved if membership falls below this level. The right to strike is not recognised specifically in law. No teachers may form trade unions in either the public or private sector. Teachers form associations that perform functions similar to labour unions, namely providing for members’ welfare, offering legal services, and airing grievances. Collective bargaining is also prohibited in the public sector. Public sector workers’ pay levels, and other benefits, are determined by the National Pay and Wages Commission. The Commission’s recommendations are binding and may not be disputed except on the issue of implementation.

**EI member organisation / Membership:**
- Bangladesh Teachers’ Association (BTA) / 65 000
- Bangladesh Teachers’ Federation (BTF) / 165 000
- National Federation of Teachers’ Associations (NFTA) / 77 536
EDUCATION RIGHTS: Education is the largest item of government expenditure. Although functional literacy skills for Barbados, as defined by the Human Development Report (HDR 2003, are not known, the official adult illiteracy rate is only 0.3%. This figure ranks Barbados amongst the world’s more literate societies. The majority of new entrants to the 1st grade have attended an early childhood development programme. There are three kinds of primary and secondary amenities: schools that are government owned and maintained; private schools that are either assisted or non-assisted; and independent schools. The most recent statistics show that there are 80 public primary schools with 23,122 pupils and 1,559 teachers, and 28 private primary schools and kindergartens with 3,313 with 218 teachers. The Government’s 23 secondary schools cater for 17,765 students. All but two are co-educational. The schools employ 1,304 teachers. There are eight assisted private secondary schools. They have an enrolment of 1,317 and 97 full-time teachers. A specialist government school caters for the needs of visually and hearing impaired children. There is also a school for intellectually challenged children. The government’s policy is to integrate children with special needs into the main stream of the school system where practical. An out-of-school institution caters for troublesome or suspended students of secondary school age. Bullying and anti-social behaviour inside and outside of classrooms are of special concern to teachers and their unions. Other than the constitutional provisions of equality for all, there are no laws that specifically prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services. Education is universal and compulsory from age five to age 16. It is free at government institutions from the 1st grade through university. The Cave Hill campus is a major institution of the regional University of the West Indies. In addition to specialist faculties in law and medicine, Cave Hill has responsibility for teacher education for Barbados and the Eastern Caribbean. The University campus is also associated with the Centre for Gender and Development Studies, and the Codrington Theological College as well as a Distance Learning Centre. Barbados has a number of other tertiary institutions including teacher training colleges, a Polytechnic, a community College, an Institute of Management and Productivity and government operated skills training programmes.

GENDER PARITY: Approximately 60% of students at institutions of higher education are female. There are no legal impediments to the participation of women in government or politics. Women participate in all aspects of national life and are well represented at all levels of both public and private sectors.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The legal minimum working age is 16. Compulsory primary and secondary education policies, which require school attendance until age 16, ensure the law is broadly observed. The Labour Department inspectors
conduct spot investigations of enterprises and check records to verify compliance. Legal action may be taken against any employer who is found to have underage workers.

**TRADE UNION RIGHTS:** Freedom of association is protected in the Constitution of Barbados and, although the law provides for the right to organise and bargain collectively, employers have no legal obligation to recognise unions. However, most do so once a trade union seeks accreditation as the bargaining agent for workers in an enterprise. Wages and working conditions are negotiated in the public and private sectors through collective bargaining and some agreements in the private sector include provision for productivity increases. Tripartite Prices and Incomes Protocols have been agreed upon since 1993, the initial 2-year wage freeze has been succeeded by an undertaking by the trade unions to exercise restraint in their demands for increases in basic wages. The life of the current Protocol has been extended to 31 March 2005 to allow for the drafting of its replacement. It contains an appendix covering the treatment of HIV/AIDS and other life threatening diseases in the workplace. The Protocols do not have the force of law and are thus consistent with the voluntaristic approach which characterises industrial relations in Barbados. There is no legislation that prohibits private and public sector employees from striking - with the exception of a 1920 Act governing workers in essential services, but its provisions have not been applied when utility workers have withheld labour. All trade unions are independent of any political party. The Caribbean Congress of Labour has its headquarters in Barbados.

**EI member organisation / Membership:**
Barbados Secondary Teachers’ Union (BSTU) / 382
Barbados Union of Teachers (BUT) / 2 000
EDUCATION RIGHTS: Freedom of organisation in the Belgium educational system has been guaranteed by the Constitution since the foundation of the Kingdom in 1830. Financial barriers which restricted school attendance were removed early in the 20th Century. Successive governments have been strongly committed to an amply funded system of education which is free and compulsory from age six to 18. Since 1959, the system has included both secular and church schools. Typically, early childhood education begins at age two and a half, and from age six provides six years of primary and six of secondary education. Although education remains compulsory until age 18, after reaching the age of 15 or 16 years students may continue their education on a part-time basis. Normally at age 16 students choose between general technical, vocational or artistic education. The school year is approximately 37 weeks. The existence of a country that officially recognises the Dutch, French and German languages has created significant complexities in education. Education is controlled by the linguistic communities, and the language of instruction is accordingly either French or Dutch and, in some eastern communes, German. About 5% of children attend schools that cater for special needs. The teacher shortage is a concern, given the rate of retirement. Since the 2nd edition of the EI Barometer, Belgium has improved its methods for considering applications for asylum, consequently reducing the period when the children of asylum seekers receive no education. Amnesty International’s (AI) 2003 Report is unimpressed with Belgium’s treatment of child asylum-seekers which it characterises as insufficient. Belgium has nine large-scale universities and numerous institutions of higher learning, including academies of fine arts, conservatories of music, and agricultural colleges. Access to higher education is usually open and there is no limit on places available.

GENDER PARITY: Girls and women have equal access to education at all levels. Young women tend to stay at secondary school longer than young men and they represent over 55% of enrolment at tertiary institutions. The equal treatment of men and women is provided for in the Constitution, law, and treaties incorporated into law. The government actively promotes the integration of women at all levels of decision-making. Although the net average salary for a woman is 85% of the national net average salary there has been a gradual improvement towards parity, especially during the last ten years.

ACADEMIC FREEDOM: The federal and regional governments of Flanders, Wallonia and Brussels are reported to respect academic freedom.

CHILD LABOUR: The minimum age for employment of children is 15, but schooling is compulsory to the age of 18. Students between 15 and 18 years of age may participate in part-time work/study and may work full-time during school vacations. There are no industries where significant child labour exists. Belgium is, however, both a transit point and destination for trafficking in children. The government works closely with NGOs that combat trafficking. The law

---

**Belgium**

Kingdom of Belgium • Population: 10,274,595

<table>
<thead>
<tr>
<th>Education</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population &lt;15</td>
<td>17.3%</td>
</tr>
<tr>
<td>Illiteracy</td>
<td>2%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment</td>
<td>111.5%</td>
</tr>
<tr>
<td>Net enrolment first level</td>
<td>101%</td>
</tr>
<tr>
<td>Secondary gross enrolment</td>
<td>m: 131.4 - f: 152.6%</td>
</tr>
<tr>
<td>Primary pupil teacher ratio</td>
<td>13</td>
</tr>
</tbody>
</table>

% GNP spent on education:

5.8%

Life expectancy at birth:

m: 74 - f: 81

School life expectancy (years):

16

% 2000 cohort reaching grade 5:

359,265

Tertiary students per 100,000:

% government expenditure on education:

11.6

Ratification of ILO conventions:

29 87 98 100 105 111 138 169 182
provides severe penalties for paedophilic crimes and a 2001 Act improves the protection of children against sexual exploitation, abduction and the trafficking of minors. Citizens who commit sexual offences against children abroad may be prosecuted.

**TRADE UNION RIGHTS:** About 60% of workers are members of unions. Unions, including those covering the public sector, have the right to strike. Collective bargaining agreements apply equally to union and non-union members. There have been several improvements in trade union relations with employers since the 2nd edition of the EI Barometer. In March 2002, the social partners concluded a protocol agreement that reinforced the right to strike, which had often been successfully called into question by some employers. Based on this new agreement, employers undertook to avoid recourse to legal procedures until conciliation had been exhausted.

**EI member organisation / Membership:**
Algemene Centrale der Openbare Diensten Sector ‘Onderwijs’ (ACOD) / 15 100
Centrale Générale des Services Publics - Enseignement (FGTB-CGSP) / 10 000
EDUCATION RIGHTS: Education is compulsory between the ages of 5 and 15. It is nominally free, but textbook and uniform fees put education out of reach for many poor children - a third of the population live below the poverty line. There are also many truants and dropouts. Children with disabilities have access to government special education facilities, although the requirements to enter such programmes are strict. As well as secondary schools, the government runs apprenticeship programmes and vocational institutions. At the post-primary level, there is a severe shortage of schools and the state and private colleges are able to accommodate only half the applicants. A majority of schools at primary and secondary level are run by the three main religious denominations: Roman Catholic, Anglican and Methodist.

The 2nd edition of the EI Barometer reported the introduction of schemes intended to rehabilitate juvenile prisoners by providing work opportunities and skills training. These schemes were discontinued by the government in 2002. Higher education is available at the three campuses of the University College of Belize, which maintains close links with the University of Michigan, USA. There is also the Belize College of Agriculture. The country is also affiliated to the regional University of the West Indies. Offshore medical schools operate in Belize. They are most often used by citizens of the United States.

GENDER PARITY: In recent years the proportion of women in higher education has increased and 64% of students at the University College of Belize are women. Despite constitutional provisions for equality, women face social and economic prejudice. The female unemployment rate was 20.3% compared with 9% for men. Women are active in all spheres of national life, but relatively few hold top managerial positions. The law degrees equal pay for work of equal value; however women tend to earn less than men.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The Labour Act prohibits all employment of children under age 12 and prohibits employment of children between the ages of 12 and 14 before the end of school hours on official school days. The minimum age for employment near hazardous machinery is 17 years. According to the law, inspectors from the Ministries of Labour and Education enforce this regulation. There are reliable reports of trafficking in children for the purposes of prostitution or domestic servitude. A national study in 2001 reported that approximately 35% of those working in the «sex industry» were under age 18.

TRADE UNION RIGHTS: Workers are free to establish and join trade unions. The law permits unions to strike; essential service unions must give three weeks notice. The ILO has found the government’s definition of essential services to be too broad. The law provides for collective bargaining and it is freely practised throughout the country. There was
one strike during 2002. On 12 March, the EI affiliate, BNTU, held a one-day strike in Belmopan to protest against low wages. The government began negotiations with the union and agreed to a pay rise before the end of the year.

EI member organisation / Membership:
Belize National Teachers' Union (BNTU) / 1 400
EDUCATION RIGHTS: Benin is an extremely poor country and the majority of its citizens are illiterate. Education is free but not compulsory. Although statistics since the 2nd edition of the EI Barometer suggest a marked improvement in primary enrolment, nationwide only 26% of boys and 12% of girls were enrolled in secondary school in 2002. EI affiliates, SYNEMP, SNEP, and SYNESTP formed a coalition to increase the visibility of Global Action Week 2002 through a public march where 500 children proclaimed their right to learn. Disturbing credible testimonies continue to surface that suggest some teachers offer passing marks or improved grades in return for sex. The government allowed the children of Togolese refugees to enrol in local schools.

GENDER PARITY: Female adult literacy is only 16%. However, since the 1st edition of the EI Barometer in 1998, girls have made significant gains in primary school graduation and general scholastic achievement. Although twice as many boys as girls are enrolled at primary school, female literacy has nearly doubled in the last six years. At university level, enrolment favours males six to one.

ACADEMIC FREEDOM: According to the best available sources teachers at the country’s three universities are able to conduct research, publish their work, and lecture without censorship. However, in 2002 the mayor of Cotonou refused to allow any student demonstrations in the capital.

CHILD LABOUR: The Labour Code prohibits the employment or apprenticeship of children under 14 years of age. Light work is permitted from the age of 12. The Ministry of Labour is only able to enforce the code in the formal sector. Children commonly work on rural family farms, and in small businesses. A 2000 report estimated that a majority of apprentices working as seamstresses, hairdressers, carpenters and mechanics were under the legal age of 14 for apprenticeship. The 2nd edition of the EI Barometer reported the practice of «vidomegon» whereby rural children are sent to urban centres and, in return for performing domestic chores, are given an education. Abuse by host families has been described as endemic. The children, most frequently young girls, are usually exploited and receive little or no education. The Barometer reported that the government had mounted campaigns to alert rural parents to the dangers of exploitation of their children. The campaigns do not appear to have been particularly fruitful. Extremely poor families continue to encourage their young daughters to become prostitutes. Previous editions of the Barometer reported serious incidents of child smuggling and that EI’s Benin affiliates had begun a joint campaign against child labour. The struggle to eliminate child labour is on-going and progress has been slow.
TRADE UNION RIGHTS: The Constitution provides workers with the freedom to organise, join unions, meet, and strike, and the government usually respects these rights. About 2% of the workforce is engaged in the formal sector and some 75% of those employed in the sector are unionised.

EI member organisations / Membership:
- Syndicat National de l’Enseignement Primaire Public du Bénin (SNEP) / 6 000
- Syndicat National des Enseignements Maternel et Primaire du Bénin (SYNEMP) / 6 000
- Syndicat National des Enseignements Secondaire Technique et Professionel (SYNESTP) / 2 000
- Syndicat National des Professeurs des Enseignements Secondaires (SYNAPES) / 1 940
EDUCATION RIGHTS: Education is compulsory from age five to age 16. Free pre-school education is available for children when they reach the age of four. Education is free for all children at 39 primary, lower-secondary, upper-secondary and special schools administered by Bermuda’s Ministry of Education. Approximately one third of Bermuda’s 11,000 students attend private, fee-paying schools. The Bermuda Educators Council Act, which came into effect in July 2002, establishes a standard for the registration of all teachers: Bermudan and foreign. Public school teachers are certified by the Bermuda government and must be members of the Bermuda Union of Teachers. Altogether there are 800 registered teachers in Bermuda, 100 of them in the private school system. Private schools are more inclined to train their students with a view to qualifying for higher education at American, British, Canadian, and European institutions. There is no full degree conferring university or post-graduate institution in Bermuda. Bermuda College, however, which has 1,200 students, offers associate degrees, certificates and diplomas in applied sciences, business, technology, hospitality and liberal arts. The Ministry of Education funds teaching training scholarships annually.

GENDER PARITY: Boys and girls have equal educational opportunities at all levels of the public and private system.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The 1996 Education Act’s Code of Conduct ensures school attendance and it is rigidly enforced by the Ministry of Education.

TRADE UNION RIGHTS: All teachers employed in government schools must, under the law, be members of EI affiliate, BUT. Accredited and qualified teachers at private schools are eligible for membership. BUT has a representative on the Labour Advisory Council and Public Service Superannuation Board, both official government authorities.

EI member organisation / Membership:
Bermuda Union of Teachers (BUT) / 800

FOOTNOTE: Bermuda is a Parliamentary Overseas Territory of the United Kingdom with internal self-government. The territory makes its own local laws. The UK is responsible for defence, external affairs and internal security.
EDUCATION RIGHTS: Education is free and compulsory to age 16 in both the Federation and RS. Children continue to suffer disproportionately from the stress of the post-war era. Many internally displaced children are unable to return to their pre-war homes or district. The ethnic divisions remain a severe impediment to education. In Bosnia and Herzegovina (BIH) three parallel education systems are implemented in three different languages. Although the curriculum developed by the Ministry of National Education was intended for use by all students in the country, the Croats use a version of the Croatian curriculum and in Republika Srpska an adapted Serbian curriculum is used. The classrooms of Bosnia and Herzegovina do not always provide a neutral setting. Segregation and discrimination are entrenched in the post-war «culture.» The students from minority groups are sometimes unable to attend school and frequently face a hostile environment. In many cases, students and teachers of different ethnic groups share the same school building but attend classes on different floors or use the same facility in shifts. An exception is the Brcko District which successfully introduced full integration in primary and secondary school classrooms. This District, which has local self-government, uses a harmonised school curriculum for all teachers and has eliminated discriminatory material from textbooks. Under Article 7 of its own law, Brcko gives equal standing to Bosnian, Croatian and Serbian languages and equal status to both the «Latinic and Cyrillic alphabets.» The languages and alphabets «shall be used for all official purposes.» In another positive move the Federation has fully implemented in all secondary schools a civic education course entitled «Democracy and Human Rights.»

GENDER PARITY: Women are well represented in the judiciary, university faculties and in the medical profession. Traditionally, however, both entities are male-dominated and this remains so, especially in rural regions.

ACADEMIC FREEDOM: There are reliable reports of discrimination, in that ethnic and political affiliations tend to influence university appointments and promotions.

CHILD LABOUR: The minimum age for employment of children in both entities is 16 years. Children sometimes assist their families with farm work and odd jobs. The Dayton Agreement incorporated the United Nations Convention on the Rights of the Child (UN CRC) into the Accord and it has the effect of law in both entities. Anecdotal evidence shows that children were not only traumatised by the civil war itself but also continue to be adversely affected by living in an insecure and fractured environment. As in other countries in transition, children are exposed to disorder and violence, and to the danger of exploitation and mistreatment by organised criminal elements. The society and the legal system provide inadequate protection. The government, for example, has done little to combat the problem of girls coerced or forced into prostitution. Trafficking in children for sexual exploitation is a serious problem.
TRADE UNION RIGHTS: The Constitutions and labour laws of the Federation and RS provide for workers to organise, form and join unions, and bargain collectively. Unions have the right to strike. These rights are more applicable and better respected in the public rather than the private sector. Primary teachers in BIH went on strike to have four months of salary arrears paid from December 2001 until a settlement was reached in early 2002 and the arrears were paid. In December 2003, the secondary teachers in the Sarajevo canton struck, as the union was unable to reach an agreement with the Ministry of education on a salary adjustment for teachers. By mid December an agreement reached and the strike stopped. Although the constitutions of the unions indicate they are open to membership of all education personnel, in reality the unions are also split along ethnic lines. Recently there have been some joint union activities and in Brcko the unions have developed good working relations from all sectors.

EI member organisation / Membership:
Independent Trade Union of Primary Education Workers of Bosnia and Herzegovina (ITUPEWBH) / 49 097
The Independent Trade Union of the Secondary School (ITUSS) / 20 000
Trade Union of Education, Science and Culture of Republika Srpska (TUESCRS) / 16 450

The Dayton Peace Agreement in 1995 brought a halt to more than three years of regional war and established Bosnia and Herzegovina as an independent state of two entities: the Federation of Bosnia and Herzegovina (the Federation) and Republika Srpska (RS). The Federation has a post war Bosniak (Bosnian Muslim) and Croat majority. RS has a post war Bosnian Serb majority. In the Federation, education, including the financing of education, is the responsibility of the local districts (cantons). In the RS the education system is centralised.
Educati0n Rights: The government allocates the largest portion of its operating expenditure to education and it built a number of new schools in 2002. Seven years of primary education is free but attendance is not compulsory. Between 10 and 17% of children never attend school and Botswana is considered at risk of not achieving universal primary education by 2015. Fewer than 20% of students complete secondary school. The official language is English and the national language is Setswana, which is spoken by Tswana, the largest ethnic group. Non-Tswana groups are dissatisfied that schooling is not provided in their own languages. The indigenous nomadic hunter-gatherer people, Basarwa (“Bushmen” during the colonial period) were resettled “voluntarily” during 2002 to remote villages. They are now dependent on social welfare benefits and access to education for their children, which was previously minimal, has not improved. In late November 2002, University of Botswana academic and non-academic staff went on strike over salaries. They were quickly joined by students protesting at chaotic examination schedules, a consequence of the strike. The government shut down the university when it decided the demonstrations were too disruptive. Botswana has one of the highest rates of HIV/AIDS in the world and the epidemic continues to gain ground. Family disruption, the movement of people from rural to urban areas, high rates of mobility, poverty and the low status of women all contribute to the spread of HIV/AIDS. The education system is struggling to deal with the impact of HIV/AIDS on both teachers and students.

Gender Parity: Adult female literacy is slightly better than males, but in some rural areas girls are denied schooling because of religious or customary beliefs. At the primary level girls are less likely to drop out of school and at secondary school they are slightly more likely to graduate. Women attend university and other tertiary institutions at the same rate as men. Sexual exploitation and harassment of girls by men in positions of authority, including teachers, continues to be a serious problem. The government’s response has been to amend the Public Service Act. The Act carries penalties for sexual misconduct by teachers.

Academic Freedom: Available reports do not indicate restriction of academic freedom by the government.

Child Labour: Only an immediate family member may employ a child 13-years-old or younger, and no child under 15 years may be employed in any industry. No person under 16 years is allowed to perform hazardous labour, including mining. Botswana’s HIV/AIDS infection rate is the highest in the world and, as a direct consequence, there were at least 78,000 orphans in the country according to a UNICEF 2002 report. Although the government reviewed its laws to bring them into conformity with the UN Convention on the Rights of the Child (UNCRC), it has not been able to protect orphan victims with HIV/AIDS from being denied inheritance rights by surviving adult relatives. There are increasing numbers of street children and an increasing numbers of children engaging in prostitution, particularly in the capital. In a country where 40% of the population is under the age of 15, where 40% of the population are unemployed and 45%
live below the poverty line, it is little consolation for the people that Western indicators describe the diamond mining-dominated economy as robust.

**TRADE UNION RIGHTS:** Trade unions continue to face some legal restrictions, and the government does not always ensure that labour laws are observed. In practice all workers, with the exception of government employees, including teachers, are free to join or organise unions of their own choosing. Teachers and civil servants may form associations that function as quasi-unions but without the right to negotiate wages. Elected trade union officials have to work full-time in the industry or sector the union represents, which means in effect, that Botswana has no full-time union officials. Although Botswana has ratified all ILO Fundamental Conventions the labour laws are not yet compliant. In August 2001, a government consultancy recommended that a separate pay structure be created for teachers. It was expected the recommendation would be implemented at the start of the 2002 fiscal year. Six months later when the government had failed to take any action secondary teachers went on a 3 day strike, and struck again during examination time in October. The President promised a new commission to hear the teachers’ grievances and to consider the awarding of retroactive pay.

**EI member organisation / Membership:**
Botswana Teachers’ Union (BTU) / 6 870
EDUCATION RIGHTS: Primary education in Brazil is compulsory for children between the ages of seven and 14 and is free in public institutions at all levels, including university. The rate of enrolment in the seven to 14 age group improved from 89% in 1994 to 97% in 2000. The Federal government introduced a programme, Bolsa Escola, which financially assists poor families on condition children attend school regularly. A stipend is paid directly to mothers, and in 2002 the programme supported some nine million children in over 5000 municipalities. Repetition rates are high: 40% at Grade 1. The quality of education available in public schools has long been the subject of serious criticism. Brazil’s Education For All (EFA) report announced an ambitious programme to improve the qualifications of the teaching profession. The most recent available statistics state that over one million primary age children are not at school. And because the public school day lasts only four hours many other children are vulnerable to child labour and related forms of exploitation. The rights of indigenous peoples remain insecure but recently Brazil ratified ILO Convention 169, an indication of a commitment at the Federal level to put protective legislation in place and a willingness to be accountable for such measures. Studies show that Afro-Brazilians, over 40% of the population, are subject to racial discrimination and are victims of prejudice. Their children are more likely to work during childhood and more likely to be illiterate adults than European Brazilians. The education of Afro-Brazilians has shown no improvement during the last 40 years. A number of NGOs are acting to narrow the educational gap. The election of Luiz Inácio Lula da Silva to the Presidency, has raised hopes for human rights improvement. Although not central to his campaign, da Silva publicly committed himself to promoting the welfare of Brazil’s marginalised populations.

GENDER PARITY: Girl and boys attend primary school in comparable numbers. At secondary school females out-number males and represent 55% of enrolments at tertiary level. However, government statistics nationally indicate that women with secondary school education earn, on average, 63% of the salaries earned by men with comparable education. A 2001 official survey for the State of Sao Paulo produced the same result. Twenty percent of 10 to 14 year-old girls, typically of Afro-Brazilian descent, work as domestic servants. They receive poor recompense and many work in excess of 40 hours a week.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The official minimum working age is 16 years, but apprenticeships may begin at 14. Legally minors under 18 may not engage in dangerous types of work. But child labour, including the worst forms, is a serious problem in Brazil. The Inter-American Development Bank estimated that 30 million children live below the poverty line. According to the ILO, 500 000 children and adolescents work as domestic servants. Government programmes to combat child labour provide cash to poverty stricken families to keep their children in school and out of work. UNICEF supports
over 200 programmes in Brazil and has succeeded in placing in school thousands of children who worked in garbage dumps sorting trash for re-use. There are no reliable figures on the number of street children and child beggars nationwide. A conservative estimate states that there are 30 000 in Rio de Janeiro and 12 000 in Sao Paulo. The city of Rio de Janeiro provides 41 shelters and group homes to assist children from this at risk class. Homicide is the leading cause of death for Brazilian children aged 10 to 14. Hundreds of thousands of children work in conditions forbidden by ILO Convention 182. Many children and adolescents, ranging in age from seven to 17 years, work in cane fields, cut hemp or feed wood into charcoal ovens: frequent accidents, unhealthy working conditions and squalor are common in these environments. The government’s own estimate is that 60 000 children work illegally in unhealthy conditions. Thousands of young children work under conditions approximating forced labour or debt bondage. The ILO has officially established programmes to support governmental efforts to combat forced child labour. Child prostitution is also a serious problem that varies from state to state. In 2000, the ILO reported that observers in Rondonia State had cited over 3 000 girls who were subjected to debt servitude and forced into prostitution. Programmes have been introduced to combat the sexual exploitation of children and in June 2002, federal legislation strengthened the criminal law for persons who exploit child prostitutes. According to the 2003 Human Rights Watch (HRW) Report, youth within the penal system are subject to a range of abuses and ill treatment. Many detained youth are deprived of adequate health care and education, despite the requirements of Brazilian law.

TRADE UNION RIGHTS: The previous government failed to pass enabling legislation for labour code provisions permitting strikes in the public sector. In practice, the government seldom interfered - and during 2002 public sector unions held strikes to demand salary increases. In 2002 teachers and university professors were among unionists who engaged in strike action, seeking a pay rise. The police used tear gas and truncheons, injuring 20 people, to prevent striking teachers from entering the Education Ministry building. A group of Pará education workers started a hunger strike on 8 May over the issue, which was the subject of a protest by ETI to the State Governor. A settlement was reached in that dispute. Following the investiture of the da Silva-led government in early 2003, the teachers’ confederation CNTE concluded an agreement with the Minister of Education guaranteeing major commitments to upgrade the teaching profession and improve the quality of public education. The Minister pledged to re-establish the Permanent Forum on upgrading the teaching profession. The Forum will be responsible for proposing national public policies on training, career development, working conditions, salary and recognition of schoolwork. This follows up upon the work started in 1994 that was suspended by the previous government.

EI member organisation / Membership:
Confederaçao Nacional dos Trabalhadores em Educaçao (CNTE) / 694 009
EDUCATION RIGHTS: Education is compulsory. It is free at the Islands’ 15 primary and three secondary public schools. There are also eight private primary schools. Students wishing to advance beyond secondary level education may enrol in Distance Learning courses at the regional University of the West Indies. Scholarships are available for students to attend the regional University or universities in North America or the United Kingdom. BVI is an associate member of UNESCO.

GENDER PARITY: Information is not available in published reports.

ACADEMIC FREEDOM: The territory does not have a university or tertiary institution.

CHILD LABOUR: Information is not available in published reports.

TRADE UNION RIGHTS: Information is not available in published reports.

El member organisation / Membership:
British Virgin Islands Teachers’ Union (BVITU) / 100

FOOTNOTE: The British Virgin Islands is an Overseas Territory of the United Kingdom. The territory has substantial responsibility for the conduct of its own affairs.
EDUCATION RIGHTS: Education is free, compulsory and universal for all citizens. Twelve years of education is provided; a one-year early-childhood programme introduces pupils to six years of primary school. Three years of lower secondary school are followed by two years of upper secondary, vocational or technical education. The Ministry of Education oversees 123 primary and 26 secondary government schools and 70 non-government schools. In 2001, approximately 57,000 children attended primary schools, and 32,000 attended secondary schools. Non-government schools and their teachers are required to register according to the 1984 Education Act. There is provision for Malay, English and Chinese to be used in the classroom at primary and secondary levels. For Brunei Nationals, tuition is free at the University of Brunei Darussalam, the Institute of Technology, and at other colleges of higher learning. In recent years, the education system has provided facilities and specialist teachers to cater for the needs of children with disabilities, although more needs to be done. Members of the «stateless» Chinese community are not eligible for free education.

GENDER PARITY: Females make up approximately half the school population at primary and secondary levels, and 66% of tertiary students. The Constitution does not contain specific provisions prohibiting discrimination based on race, sex, disability, language, and social status. In accordance with Koranic precepts, women are denied equal status with men in a number of important areas such as divorce, inheritance, and child custody. Men are eligible for permanent positions in government service whether or not they hold university degrees, while women without university degrees are eligible to hold government positions only on a month-to-month basis. Although some previous inequities have been eliminated, women in such positions continue to receive less annual leave and fewer allowances than their male and female counterparts in permanent positions.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom at the University, which adheres to principles consistent with Islam. School curricula reflect traditional Islamic values, while at the same time placing strictures on the teaching of the history of religion. Only international schools in the capital, Bandar Seri Begawan, are exempt.

CHILD LABOUR: The law prohibits employment of children below the age of 16. Parental consent and approval by the Labour Commission is required for those below the age of 18. There are no reports of the law being flouted.

TRADE UNION RIGHTS: According to the International Confederation of Free Trade Union (ICFTU), trade union rights are very limited in law, and those rights that are legally protected are not enjoyed in practice. There is no provision for collective bargaining. An individual contract is required between the employer and each employee and trade unions.
union activity must conform to the contract. The law does not recognise the right to strike. Unions are not at liberty to affiliate to international trade union bodies. Some 40% of the work force are temporary residents.

EI member organisation / Membership:
Brunei Malay Teachers’ Association (BMTA) / 19 022
Persatuan Pendidik Nasional Brunei (PPN) / 400
EDUCATION RIGHTS: Education is free and compulsory for children from age seven to 16. The requirement to pay for books is an imposition for poor families. About 85% of the children attend school. The severe economic difficulties experienced in the transition to a market economy have greatly constrained funding and improvements to the education system. Public expenditure on education declined by nearly 75% through the 1990s. Teachers at both lower and upper secondary schools require 4 or 5 years university-level training. Ethnic Turks comprise nearly 10% of the population. Voluntary Turkish-language classes in public schools, funded by the government, are held in areas with significant Turkish-speaking communities. A hangover from the communist era, when persons with disabilities, including very young children, were segregated from the rest of society is still reflected in policies whereby such children are educated separately. The government maintains a sizeable network of ‘Labour Education Schools’, orphanages, facilities for the intellectually handicapped, and shelters for homeless children. Human Rights monitors are sharply critical of such places and they have been described as little different from penal institutions. Typically, the facilities are in disrepair and provide poor living conditions. The children receive inadequate education and are frequently subjected to harsh treatment by unqualified staff. Some 35,000 children are confined to these institutions. The Minister of Labour has attempted to address the many problems of handicapped children by developing a programme of payment and retirement benefits to family members that will enable to provide an education for especially severe cases. The UN’s Common Country Assessment concluded that children brought up in such facilities are likely to be emotionally scarred and ill-prepared to face society. The Council of Europe estimates the Roma population as between 600,000 and 800,000. The quality of education offered to Roma children is inferior to that offered most other students. Fewer than eight percent of Roma children complete secondary school. Roma children are often sent to the «Labour Education Schools» and there is also a tradition of placing them in separate schools. The previous edition of the EI Barometer reported that there were 34 all-Roma schools. Schools in Roma neighbourhoods have very low pass rates and chronic truancy. Initiatives by the government, Roma NGOs and an international donor, to provide free lunches, and subsidise textbook and tuition costs have been helpful in keeping Roma children at school. There are more than forty institutions of higher learning in Bulgaria, including the University of Sofia. About 30% of students continue their education beyond the secondary level.

GENDER PARITY: Fewer girls than boys attend primary school, especially amongst the Turk and Roma minorities. Women are 5% more likely to attend university than men. The majority of women are employed in the lower-paying sectors of the work force. Liberal maternity leave with pay has been described as a disincentive for employers to employ women of childbearing age.
**ACADEMIC FREEDOM:** Reports do not indicate government restriction of academic freedom.

**CHILD LABOUR:** The minimum age for hazardous work is 18 years. The Labour Code sets the minimum age for employment at 16 years. Child labour laws are enforced well in the formal sector. NGOs believe that children are increasingly exploited in certain family-based industries and by organised crime. An International Labour Organisation (ILO) commissioned report concluded that nearly 40,000 children between the ages of seven and 14 are employed in the informal sector. The study found that 10,000 underage children practised begging. Bulgaria has ratified ILO Convention 182 but the National Assembly has not adopted implementing legislation, except that in October 2002 the penal code was amended to make trafficking a criminal offence. Bulgaria is a source, transit point and destination for trafficking in girls and young women. The ILO International Programme on the Elimination of Child Labour (IPEC) estimates that there are at least 3,800 child prostitutes. Children are also employed as distributors of narcotics. The rehabilitation of victims of worst forms of child labour is hindered. Many girls were too young to be ‘working’ at the time they were ‘employed’ and are therefore ineligible for financial aid. Prevailing public attitudes tend to stigmatise the victim. The Ministry of Education has been derelict in its duty to provide classroom awareness programmes on the subject for adolescents.

**TRADE UNION RIGHTS:** The 1991 Constitution provides for the right of all workers to form or join trade unions of their choice. The labour movement is concerned about the widespread use of temporary contracts to evade provisions for worker protections for permanent staff. Many workers, who effectively were permanent staff, are now hired under short-term contracts that are renewed from time to time. When an employee is fired, the employer may do so legally by simply failing to renew the contract, thus avoiding the issue of severance benefits. With regard to collective bargaining, many unionists complain that employers fail to bargain in good faith or adhere to agreements. Collective bargaining is allowed for private sector workers, but the law on public servants does not specifically recognise this right. A legal prohibition allows public sector employees only to engage in ‘symbolic strikes.’ In 2002 the government, without consultation with education unions, reached an agreement with the World Bank and International Monetary Fund (IMF) on the restructuring of education as part of the structural adjustment programme. Unions expected that there would be a 10% reduction of teaching personnel and a 20% reduction of non-teaching personnel.

El member organisation / Membership:
Syndicat des Enseignants Bulgares (SEB) / 82,000
Syndicat des Enseignants ‘SEP-Podkrepa’ / 10,000
EDUCATION RIGHTS: Landlocked Burkina Faso has few natural resources and is one of the poorest countries in the world. A large part of the male labour force migrates annually to neighbouring countries for seasonal employment. These factors impact detrimentally on society, including education. Although the government claims to dedicate approximately 25% of the national budget to education, and the law provides for free compulsory education, net enrolment in primary education only improved from 27 to 36% during the 1990s, and secondary school enrolments rose from 9 to 10%. Student protests were usually tolerated although a demonstration on the campus of the University of Ouagadougou was forcibly dispersed in October 2002. Students were objecting to a doubling of registration fees.

GENDER PARITY: Girls represented only 38% of primary school enrolments in 2002. The government has set up a scholarship programme for female secondary students to encourage them to stay at school. Nationally, adult female illiteracy is 91%, a fact that hinders the government’s educational efforts to eradicate female genital mutilation.

ACADEMIC FREEDOM: Available reports provide little information on academic freedom but no major violations are cited.

CHILD LABOUR: The Labour Code sets the minimum age for employment at 14 years with light work permitted from age 12. According to the Ministry of Labour more than 50% of children actually begin work at an earlier age on family subsistence farms, in the traditional apprenticeship system, and the mining sector. According to an ILO study, 70% of child workers were in the informal sector. The country is a transit point for trafficked children, notably from Mali. Burkinabe children are also trafficked to Europe and neighbouring countries. IPEC has been working with the government since 1999 to fund projects aimed at eliminating the worst forms of child labour.

TRADE UNION RIGHTS: Unions have the right to engage in collective bargaining for wages and conditions of work but restrictions on the right to strike for civil servants remain in place. In practice, trade unionists are often subjected to intimidation, including threats of imprisonment. Transfer of personnel is also used as a disciplinary measure.
**BURUNDI**

Republic of Burundi • Population: 6,373,002

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>47.5%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy</td>
<td>50.8%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td>0.9%</td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td>54%</td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td>m: 8.1 - f: 6.1%</td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>50</td>
</tr>
</tbody>
</table>

**% GNP spent on education:** 3.4%

**Life expectancy at birth:** m: 39.9 - f: 41

**School life expectancy [years]:** 58%

**% 2000 cohort reaching grade 5:** 6,289

**% government expenditure on education:**

Ratification of ILO conventions:

29  87  98  100  105  111  138  169  182

**EDUCATION RIGHTS:** Ethnic violence of the last decade of the 20th Century arrested the development of Burundi and deprived most Burundian children of any kind of meaningful education. Many teachers were killed during the conflict and many children orphaned. The country has also been badly affected by the HIV/AIDS pandemic. More than one quarter of all primary schools were destroyed in the war. Teacher training was interrupted and it is difficult to find qualified teachers. As many as 800,000 Burundians remain displaced. Even in 2002, efforts to negotiate a cease-fire with the main rebel groups were unsuccessful. In 2002-03 it was difficult to find qualified teachers prepared to work in the provinces most affected by fighting. Less than 9% of children aged 13 to 19 years attended school. The Hutu majority are disadvantaged in regard to access to education at all levels, as are the isolated Twa peoples. Widely believed to be indigenous, the Twa make up about one percent of the total population.

**GENDER PARITY:** School attendance rates for girls are well below school attendance rates for boys. According to the Education For All (EFA) report Burundi is at risk of not achieving gender parity by 2015. Girls comprise 44% of primary and 30% of secondary school students. 15% of students enrolled at the University of Burundi are female. Female illiteracy is therefore high with only 22% of women being literate compared with 46% of men.

**ACADEMIC FREEDOM:** There are no laws or regulations limiting academic freedom at the University. Staff and students remain primarily ethnic Tutsi.

**CHILD LABOUR:** Although the Labour Code states that children under the age of 16 may not work, at least 30% of children under the age of 14 are not in school. As there is little or no work these children are either at home or on the streets. The minimum age for military service is 18, but there are believed to be some children below that age in the army and in quasi-police units. Rebel groups continue to recruit children.

**TRADE UNION RIGHTS:** The Labour Code nominally protects the rights of workers to form unions. The public sector, excepting security services, is unionised. The law provides workers with a restricted right to strike and recognises the right to collective bargaining in theory. However, in practice collective bargaining is stymied. The right of association involves ‘public meetings’ and such gatherings require prior authorisation. Local authorities are inclined to refuse permission.

The ILO has cited the government for violations of Convention 87. The Committee of Experts expressed specific concern about the denial of trade union rights for public servants and juveniles; the election of trade union leaders; and the rights of unions to organise, administer activities, and defend the interests of their members.
In May 2002, the militia shot dead two students during a demonstration in support of a nationwide teachers’ union strike. The strike ended after seven weeks when the government agreed to a wage increase. However, the government did not honour its agreement even after Belgium released four million Euros in November to cover salary arrears. In July 2003 Burundi teachers again contemplated taking strike action over the issue.

EI member organisation / Membership:
Syndicat Libre des Travailleurs de l’Enseignement [STEB] / 3 590
EDUCATION RIGHTS: Basic education in Cambodia is inadequate. Schools are overcrowded and lack equipment despite the government’s commitment to an extensive construction programme. Most schools, especially in rural areas, struggle to provide even a few years of education. The majority of primary school teachers are unqualified. Less than 5% have completed secondary school. The 2003 Human Rights Watch (HRW) Report states that the government allocated more money for education and health in 2002. Delays in disbursement of education funds meant that teachers were not paid and parents had to pay unofficial fees to their children’s teachers, which the poorest families could not afford. Education is nationally free through grade nine, although it is not compulsory. Many children leave school to help families in subsistence agriculture, or begin school at a late age, or do not attend school at all.

GENDER PARITY: The adult literacy rate favours males by 2 to 1. Boys are more likely to have access to primary schooling than girls. In remote rural areas this is partly explained by parental fear for their daughters’ safety in travel between home and school. Women represent less than twenty percent of students enrolled at tertiary level. Traditional cultural practices inhibit the role of women in such institutions as government. Women register and vote in elections at approximately the same rate as men.

ACADEMIC FREEDOM: Reports do not indicate that academic freedom is restricted.

CHILD LABOUR: The Labour Law establishes age 15 as the minimum for employment, and age 18 as the minimum for hazardous work. The law permits children between 12 and 15 years of age to engage in light work provided it does not affect school attendance. Approximately 16.5% of children between the ages of five and 17 years are employed. The ILO has joined the government and NGOs to combat child labour. In March 2002, the government ratified the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution, and child pornography. An NGO reports that a majority of girl prostitutes were forced or deceived into becoming prostitutes. The International Organisation of Migration (IOM) and IPEC estimate that some 9,000 girls between 9 and 15 years of age are prostitutes. UNICEF’s estimate is that 17,000 of the country’s prostitutes are under 18. ‘Sex tourism’ is a problem. Reliable estimates report that there are over 10,000 street children in Phnom Penh. They are considered easy targets for sexual abuse and exploitation. During 2002, raids on brothels rescued a number of underage girls who were trafficked to the country for prostitution. The government provided them with protection and worked with NGOs on their rehabilitation. The government engages in programmes with IOM, the United Nations High Commission for Human Rights (UNHCHR) and UNICEF to combat trafficking in children.
TRADE UNION RIGHTS: The Labour Law provides for the right to strike and for workers to form and join trade unions of their choice, and to organise and bargain collectively. The government’s enforcement of these rights is inconsistent and the law does not apply to teachers or other civil servants. Teachers’ salaries are irregular and inadequate to support a decent standard of living. During 2001 and 2002, Cambodian teachers protested over their working conditions and wages. They were subjected to intimidation from police and education authorities and a number of teachers were dismissed. During 2002, EI protested to the Ministry of Education about teachers being forcefully transferred to teach in rural areas. In December 2003, salaries of Cambodian teachers were between 3 months to 12 months in arrears depending on where the teacher worked. Strike action is again being contemplated at the time of writing. On 6 February 2004, EI protested the murder of the trade union leader Chea Vichea. Along with the Rong Chhun, President of EI affiliate CITA, the murdered leader was named on a list of five people to be assassinated. The list is attributed to the Cambodian Peoples Party. Lärarförbundet of Sweden has originated a number of planning and promotional programmes for the benefit of CITA.

EI member organisation / Membership:
Cambodia Independent Teachers’ Association (CITA) / 650
EDUCATION RIGHTS: The Constitution provides for a child’s right to education, and schooling is compulsory to the age of 14. But public education bore the brunt of fiscal retrenchment during the 1990s in a country where 48% of the population live below the poverty line.

During 2002, the government took measures to improve access to schools and reported that 85% of all children were enrolled in primary schooling. However, the elimination of school fees was an insufficient incentive for many families, since parents must pay school uniform and book fees. Secondary schooling is not free and is unaffordable for most families.

The forest dwelling Baka, a marginalised ethnic group of as many as 100,000, have as yet no access to education.

Institutions of higher education include the Universities of Ngaoundere and Yaounde, and the Catholic University of Central Africa.

GENDER PARITY: The gender gap in school attendance favoured boys by 14% nationally. In some northern provinces, few girls begin school and even fewer complete school to grade 5. Despite the law that fixes a minimum age of 15 years for marriage, many families marry off their daughters by the age of 12 years. The Education for All (EFA) Report concludes that Cameroon is at risk of not achieving gender parity by 2015.

An ILO report, conducted with the Ministry of Labour, concluded that in the cities 40% of employed children were girls. 7% were under 12 years of age, and 60% had dropped out of primary school. Parents of many of these children are deceived by intermediaries promising education or professional training for their children but delivering forced labour or sexual exploitation instead.

ACADEMIC FREEDOM: Free political discussion at the universities is discouraged by the presence of armed government security forces, and state security informants operate on all campuses. Affinity with an opposition political party can adversely affect tenure and advancement. During 2002, a number of university students were harassed, and in some cases arrested, by the authorities for minor offences or trumped-up charges. On 27 May, gendarmes stormed a Yaounde II University dormitory and arrested five students who were members of a student group that had voiced grievances against the administration. The University subsequently failed to validate some of the students’ previous courses. This barred them from registering for the third year curriculum programme of studies.

CHILD LABOUR: The government ratified ILO Conventions 138 and 182 in 2002. The Labour Code forbids the employment of children under the age of 14. However, the state lacks an effective inspection programme. In rural areas, many children begin work at an early age on family farms. Often, relatives employ girls as domestic helpers, while many urban street vendors are under 14 years of age. Although the Constitution prohibits forced or bonded labour, there are...
credible reports that slavery continues to be practised in isolated northern provinces.

The government works with local and international NGOs to provide temporary shelter and assistance to victims of trafficking. In August 2002, the Catholic Relief Service created the project «Nkeng-Shalom» to combat corruption in local schools that led to child prostitution.

TRADE UNION RIGHTS: The government continued to infringe worker rights and restricted the activities of independent labour organisations. Under the 1992 Labour Code, prior authorisation is required from the Minister of Territorial Administration before a trade union or professional association of public servants can legally exist. The government has ignored applications for registration from teachers’ and public servants’ organisations and consequently considers their strikes illegal. The ILO’s Committee on Freedom of Association noted that the government has failed since 1991 to recognise the National Union of Teachers of Higher Education [SYNES].

Secondary school teachers participated in sporadic strikes throughout the 2001-2002 academic year. For several years, teachers demanded payment of promised salary bonuses. Typically the Government agreed that the bonuses would be paid at the end of the year but did not then honour the promise.

Throughout the first half of 2003, EI member FESER, has been concerned with the arbitrary transfer of teachers. The teachers appear to have been punished for following a legal call to strike. FESER also reports that written and verbal threats have been made by the authorities during 2003. EI believes there is a case to answer under violations of ILO Conventions 87 and 98.

EI member organisation / Membership:
Fédération des Syndicats de l’Enseignement et de la Recherche [FESER] / 4 719
EDUCATION RIGHTS: Canada does not have a national education system. There is, however, a Council of Education Ministers in Canada and the Federal government helps fund minority language education and second language education. This applies to English and French language education, the two official languages, guaranteed in all provinces and territories of Canada. Minority language education (English or French) is provided «where numbers warrant». The Federal Government carries some responsibility for the welfare of Canada’s indigenous peoples - First Nations, Metis, and Inuit. Seven billion Canadian dollars was budgeted for indigenous programmes in 2001-2002 to fund basic services such as education. Indigenous students are the fastest growing school population in Canada. Primary and secondary education is the responsibility of the provinces and territories. All Canadians must attend school from age five, six or seven [depending on the jurisdiction] at least up to the age of 16. For the year 1998-99, five million students were enrolled in public primary and secondary schools, and a further 300 000 in private schools. They were taught by some 300 000 full-time teachers. Teachers in Canada continue to express deep reservations about the potential for undermining the public school system and increasing inequalities by the introduction of Charter Schools. Charter Schools enable parents and other organisations to set up and run a school or group of schools outside the public system while remaining eligible to receive full public funding. The so-called ‘supply and demand’ situation in Canada is exacerbated by retirements, teacher burnout, and a reduction in school support services. Public funding for Roman Catholic schools is constitutionally protected in the country’s original four provinces. In 1999 the UN Human Rights Committee found that the province of Ontario had failed to provide equal and effective protection against discrimination. In June 2001, the Ontario legislature passed a graduated tax credit plan for parents whose children attend private schools, removing the historical limitation that provided such credits only in regard to Catholic schools. The plan’s five-year phase-in began during 2002. Following a provincial election in Ontario in October 2002, the newly elected government removed the private school tax credit in order to provide additional funding for public education. The Government of Ontario also amended the Ontario College of Teachers Act to remove the requirement that teachers must complete 14 courses every five years to maintain their certificate of qualification and registration. In Quebec, schools have been reorganised along linguistic lines (French and English) replacing the former Catholic or Protestant educational organisation. In addition to provincial funding, the federal government financially supports Canada’s institutions of higher education. Canadians aged 25 and over with university qualifications increased from 15 to 20% between 1991 and 2001. In addition to 830,000 students enrolled at the country 93 universities, 500 000 students were taking post-secondary courses at 154 community colleges. Historically, community colleges have offered certificates and diplomas on graduation. However, many credits are cross-transferable to universities and some colleges now offer degree programmes.
GENDER PARITY: Females have equal access to education at all levels and they account for approximately 55% of enrolments at universities and community colleges. Women are well represented in the labour force, including business and the professions.

ACADEMIC FREEDOM: Reports do not indicate that either the federal or provincial governments restrict academic freedom.

CHILD LABOUR: Child labour legislation varies from province to province. The federal government does not employ youths under 17 years of age while school is in session. Most provinces prohibit children under age 15 or 16 from working without parental consent at night or in any hazardous employment. In British Columbia, amendments to the Employment Standards Act effectively lower the minimum age for employment from 15 years to 12 years of age with parental consent. At the same time, there has been a reduction in the number of staff available to investigate complaints of violations of the Act. Prohibitions are effectively enforced. The country is a destination and a transit point to the United States for children trafficked by organised crime groups for the purposes of sexual exploitation, labour, and the drug trade. There is no reliable estimate as to the extent of the problem.

TRADE UNION RIGHTS: Workers in both the public and private sectors have the right to associate freely. Trade union rights are officially guaranteed in federal legislation, although each province also has its own legislation. In British Columbia, legislation in 2001 declared education an «essential service.» This made union organising among teachers and education support workers much more difficult and gave the authorities the power to deny them the right to strike. A Manitoba law also bans teachers from going on strike and prescribes heavy fines for breaches of this law. In Ontario, collective bargaining rights are heavily restricted in education under the terms of a 1997 law. This excludes school principals from taking part in the teachers’ negotiating unit, which can only negotiate working conditions on an informal basis. The Ontario Education Act also establishes a de facto union monopoly, by designating the trade union recognised as the bargaining agent by name. During 2002, four complaints were brought to the attention of the ILO Committee on Freedom of Association. The Canadian Labour Congress [CLC], the ICFTU and EI filed a complaint concerning restrictions on the right to bargain collectively and restrictions on the right to strike. The CLC, the IGFTU and PSI filed a complaint regarding legislative restrictions on the right to bargain collectively in the education sector. The CLC and the IGFTU filed a complaint that included reference to the authorities’ interference in trade union activities. On 14 May 2002, EI affiliate, CAUT/ACPPU, filed a complaint on legislative violation to the right of collective bargaining in the teaching sector.

EI member organisation / Membership:
Canadian Association of University Teachers/Association canadienne des professeurs et professeurs d’université (CAUT/ACPPU) / 3 333
Centrale de l’enseignement du Québec (CEQ) / 56 750
Canadian Teachers’ Federation (CTF/FCE) / 242 600
Fédération québécoise des professeurs et professeurs d’Université (FQPPU) / 4 100
Fédération nationale des enseignantes et enseignants du Québec (FNEEQ-CSN) / 23 500
EDUCATION RIGHTS: In 1998, the government extended free, compulsory education for all children, normally from ages six to 12. Secondary school attendance is compulsory until age 16 but only free for the children of the poorest families who have an annual income below $1700. Portuguese is the language of instruction, although the population commonly speaks a dialect, Crioulo. The Ministry of Education statistics indicate that 98% of children attended primary school. Attendance rates for boys and girls was said to differ by only 1%. There are no schools or trained teachers for physically or intellectually disabled children. Several NGOs are active, including an association for the blind.

GENDER PARITY: Although there is parity between boys and girls at primary school there are twice as many female adult illiterates as males. As a result, many women are vulnerable, unaware of their rights and the fact that they have full equality under the law.

ACADEMIC FREEDOM: There is no university. Students traditionally travel abroad, often to Portugal, for higher education. Indeed, the country has a long history of ‘exporting’ its citizens, the best educated of whom seldom return.

CHILD LABOUR: The Cape Verdean Institute for Children was revised so that it could implement norms established by the United Nations Convention on the Rights of the Child. The legal minimum age for employment is 14 years. The law prohibits children under the age of 16 from working at night, more than 7 hours per day, or in establishments where toxic products are produced. In practice the Ministry of Justice and Labour enforces minimum age laws with limited success, and then only in the urban, formal sectors of the economy. The sexual exploitation of children and related worst forms of child labour are continuing problems. The government is tackling child labour working with the ILO and the IPEC.

TRADE UNION RIGHTS: Workers are legally free to form and join unions without government authorisation or restriction. The Constitution provides union members with the right to strike. Workers and management in both private and public sectors have a right to bargain collectively but the government, the country’s largest employer, continues to set wages in the public sector which has a roll-on influence on wage negotiations in the smaller private sector. The ILO has criticised the government for its failure to promote free collective bargaining. The government is unable to provide the ILO with any examples of signed collective agreements.
EDUCATION RIGHTS: Education is compulsory between the ages of 6 and 14 years. According to the responsible Ministry and UNICEF, only 42.9% of primary school-age pupils, and 11% of secondary school-age students were in school. Due to internal displacement, many children had their right to a basic education disrupted during a coup d’etat attempt in October 2002. A low level of government expenditure on education and significant salary arrears have resulted in a growing shortage of qualified teachers. Police forcibly dispersed several demonstrations during 2002 by university students protesting the non-payment of government scholarships. People from an indigenous population, the Ba’aka, are socially and economically discriminated against, and do not have access to schooling.

GENDER PARITY: At the primary level, females and males have equal access to education, but the majority of young women drop out at age 14 or 15 due to social pressure to marry and bear children. According to numerous credible reports, a number of male teachers in primary and secondary schools, and at the university level, routinely pressure female students into having a sexual relationship(s) in exchange for passing grades. The spread of HIV/AIDS was reported as prevalent between teachers and their female students. Only 15% of tertiary students are women. With financial assistance from a foreign donor, a Central African-based women’s rights NGO, and an association of women lawyers instituted a nationwide campaign against female genital mutilation (FGM).

ACADEMIC FREEDOM: University faculty and students generally express their views, including political opinions, without fear of reprisal.

CHILD LABOUR: The Labour Code forbids the employment of children under 14 years of age; however, the Ministry of Labour and Civil Service enforced the provision only loosely. The Code defined the worst forms of child labour as work involving serious risks to the child’s health, security or morality. The Code provides that the minimum age for employment could be reduced to 12 years for some types of light work in traditional agricultural activities or home services. In some rural areas, teachers or principals used children as farm labour, while teaching them how to work the land. Ostensibly schools used the proceeds from the sale of the farm produce to purchase school supplies and equipment and to fund school-related activities. Trafficking was confined primarily to children who were brought in by the foreign Muslim community from Nigeria, Sudan, and Chad to be used as domestic servants, shop helpers, and agricultural workers. Such children do not have access to basic education and typically work without pay. Child prostitution is an increasing problem. There were more than 3 000 street children between the ages of 5 and 18 in Bangui. Many children beg and steal; several NGOs provided them with humanitarian assistance. During 2002 the government ratified the African Charter on the Rights and Welfare of the Child and, in co-operation with UNICEF, launched a nationwide campaign to establish local committees to monitor and enforce children’s rights.
TRADE UNION RIGHTS: Over the last few years the problem of salary arrears of public servants, including teachers, led to many strikes that the government tried to break. Teachers in the Central African Republic have been chronically unpaid and underpaid for the last 20 years. In October 2002, over 7 000 teachers staged a nationwide strike demanding nine months of the 32 months salary arrears owing. The government had failed to honour an agreement on salaries made in March 2001. Instead the government offered one month’s salary; the teachers refused and extended their strike. Unions condemned the government recruitment of unqualified, temporary, teaching staff to replace regular teachers. Some striking teachers were re-deployed to outlying areas and threats were made against union officials. In December 2002, EI launched an Urgent Action Appeal in support of the striking teachers. Under the Labour Code, all workers are free to form or join unions of their choosing without prior authorisation. Unions have the right to strike in both public and private sectors. The government has the authority to end strikes if it deems they are not in the public interest. The Code does not specifically provide that unions may bargain collectively. While some collective bargaining has nonetheless taken place, the government is usually involved in the process.

EI member organisation / Membership:
Fédération Syndicale des Enseignants de Centrafrique (FSEC) / 4 001
EDUCATION RIGHTS: Ethnic-based instability has detrimentally affected the right of Chad’s children to basic education for three decades.

Public education remains inadequately funded and there is no provision for compulsory education, although it is referred to in the Constitution. Government education policy during 2001-2003 focused on increasing classroom facilities and infrastructure.

On 12 December 2002, a group of high school students from the Lycée Bilingue du Centre in N’Djamena stabbed a teacher to death and injured four others. The killing occurred some days after a classroom discussion when a teacher told his students that members of a certain ethnic group had once been slaves; this assertion resulted in the teacher being assaulted by his pupils’ parents.

GENDER PARITY: Educational opportunities for girls are limited. Approximately as many girls as boys were enrolled in primary school in 2002, but the percentage of girls enrolled in secondary school is extremely low, mainly because of early marriage. In rural areas, women do most of the agricultural labour and are discouraged from formal schooling. Lack of educational opportunities makes it difficult for women to compete for jobs in the formal sector. Only 15% of university enrolments are female. According to the Education For All (EFA) Monitoring Report Chad is at risk of not achieving gender parity by 2005. Female genital mutilation (FGM) is a widespread practise. Infibulation, the most severe form is practised in the region bordering Sudan. FGM is performed on young girls prior to puberty as a right of passage.

ACADEMIC FREEDOM: Available reports do not provide information on academic freedom, but it does not appear to be restricted.

CHILD LABOUR: The Labour Code stipulates that the minimum age for employment in the formal sector is 14 years. The government does not enforce the law. The prohibition on forced and bonded labour by children is also not effectively enforced. There are reports of slavery and of forced and compulsory labour by children among rural farming and herding communities.

Although prohibited by law, UNICEF estimated that there were approximately 600 child soldiers in the country. The Coalition to Stop the Use of Child Soldiers reports that there is no effective restriction on the military recruitment of volunteers who obtain the consent of a guardian. The government has not improved its legislative requirements regarding
the minimum age for recruitment and it has been accused of recruiting children under the age of 13 for detecting land
mines. UNICEF also estimated that there were approximately 10,000 street children. According to the agency, 65.5 per-
cent of minors worked, including those performing domestic chores for more than 4 hours per day. They work within the
family and outside the family. One out of five children, between 6 and 18 years of age, worked in the urban informal sec-
tor. Young girls worked as domestic servants, mainly in N’Djamena. Reports from the southern part of the country indi-
cate that families contracted out their children to Arab nomadic herdsmen to help care for their animals. The children
were often abused and returned to parents with little financial compensation for their work.
In September 2002, the quasi-official National Commission on Human Rights wrote a letter of protest to the Prime
Minister concerning reports of children being sold and exploited in Koumra and other cities in the Mandoul region. The
Commission asked local and national authorities to put an end to this problem and called for the creation of a special
team to investigate and fix responsibilities. No action was taken by year’s end. During 2002, the government together with
UNICEF co-sponsored a number of workshops, seminars and radio broadcasts to raise awareness of child labour.

TRADE UNION RIGHTS: The Constitution recognises freedom of association and union membership as well as
the right to strike except for the armed forces. A 1962 ordinance subjects the establishment of associations to the author-
isation of the Ministry of the Interior and gives authorities extensive powers to oversee the management of associations.
The Constitution and the Labour Code do not specifically protect collective bargaining. Periodic strikes over unpaid
teacher salaries have occurred in recent years, including 2002.

**El member organisation / Membership:**

Syndicat des Enseignants du Tchad (SET) / 8 600
EDUCATION RIGHTS: The government provides free compulsory primary and secondary school education from the first to the eighth grade. Chile has one of the highest literacy rates in Latin America. Indigenous peoples of Chile number approximately one million. The majority, Mapuches [«people of the land»], and smaller groups, Aymara, Atacamenno, Kawaskhar, and the Polynesian, Rapa Nui, from Easter Island, remain largely separated from the rest of society, not least because of educational factors. However, policies that emphasised assimilation were to an extent overturned by a 1993 statute providing some recognition of indigenous needs and cultures. This includes eventual bilingual education in schools in areas inhabited by indigenous peoples. In June 2002 police used tear gas and water cannon to break up student protest in Valparaiso over the financing of university studies and in August police arrested students protesting at the cost of bus fares in Santiago.

GENDER PARITY: Females have equal access to primary, secondary and tertiary education. Women with university education have average earnings that are only 53.4% of the average earnings of their male counterparts.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Child labour is a problem in the informal sector. UNICEF estimates that approximately 107,000 children and minors aged 11 years and over are working. An ILO study put the number of children aged between 12 and 14 years who work and are not at school at 15,000. This is less than half the number quoted from earlier government sources and reported in the 2nd edition of the EI Barometer. The law allows children between the ages of 16 and 18 to work with the express permission of their parents or guardians. The law allows 15-year-olds to work with the same proviso, but they must have completed their primary education. The work involved may not be physically strenuous or unhealthy. UNICEF estimates that there are approximately 10 000 prostitutes in the country between the ages of 6 and 18. Although the law is vague regarding child prostitution above the age of consent, which is 12 years, Chile has ratified ILO Convention 182. Police and social workers make an effort to identify and place child prostitutes in juvenile homes. The Ministry of Labour convenes regular meetings with employers and unions to monitor progress in eradicating child labour. Chile participates in the ILO/IPEC action programme on the elimination of child labour.

TRADE UNION RIGHTS: A new labour code was passed in December 2001. The ICFTU has described the Code as a compromise. It provides increased protections for such fundamental worker rights as the right to organise and bargain collectively. Unions may be formed without prior authorisation. As with the previous legislation, public servants do not enjoy the right to strike, although government teachers have struck in the past. There is no provision for compulsory arbitration in the public sector.
El member organisation / Membership:
Colegio de Profesores de Chile (CPC) / 120 000
EDUCATION RIGHTS: Hong Kong’s per Capita GDP compares with the level of the four major Western European economies but the region suffered a deep recession between 2001 and 2002. Recovery was detrimentally affected by the SARS epidemic during the middle months of 2003. Education is free and compulsory for all children between six and 15 years. Some 60% of schools, from early childhood to secondary level, are private. About 1% of students in the school population has disabilities. One third of these students are in mainstream schools where they receive special education services. Minority groups are less likely to obtain placement in public schools or acceptance to institutions of higher education. The children of illegal immigrants are excluded from the education system. There are eight publicly funded universities, including the Hong Kong Academy of Performing Arts [incorporating the Conservatory of Music and the Academy of Ballet] and more than a dozen technical institutes. All of these institutions are under strain because of demand and only a small percentage of high school graduates attend college or university on a full-time basis. Colleges of education train primary teachers, while responsibility for teacher training for secondary education rests with the universities.

GENDER PARITY: Two-thirds of the adult population who can neither read nor write is female. Adult illiteracy for both men and women continues to decline. 50% of graduates from universities and other institutions of higher learning are women. In 2001 the High Court ruled that the 23-year-old practice of separately ranking boys and girls for secondary school admission discriminated in favour of boys. Women in Hong Kong were for generations under British rule discriminated against in employment, salary, welfare, inheritance and promotion. The pattern is gradually changing for the better and women are entering such professions as law and medicine in growing numbers. A Women’s Commission is undertaking a study on equal pay for work of equal value. The Commission intends to conduct a comprehensive, system-wide review of the issue.

ACADEMIC FREEDOM: The Basic Law provides for academic freedom, and the government generally respects that freedom in practice. There is independent research and lively debate on campuses.

CHILD LABOUR: Regulations prohibit the employment of children under the age of 15 in any industrial establishment. Children 13 and 14 years of age may be employed in certain non-industrial establishments, subject to conditions aimed at ensuring a minimum of nine years education and protecting their safety, health and welfare. The government is sympathetic to ILO Convention 182. The Region has passed legislation outlawing pornographic literature involving children and it is an offence to arrange or promote sex with children under age 16.
TRADE UNION RIGHTS: The Basic Law does not guarantee the right to collective bargaining. Although 25% of the workforce is unionised, less than one percent of workers are covered by collective agreements, and those that exist are not legally binding. The Basic Law contains provisions guaranteeing freedom of association, the right to organise and the right to strike. However, according to the ICFTU, no laws have been implemented to secure the effective application of these fundamental rights. Collective bargaining is not widely practised. The Government only consults civil service unions. Restrictions govern the right to strike for civil servants. EI launched an Urgent Action Appeal in 2001 on behalf of its affiliates after demonstrations were suppressed. The following year the General Secretary of EI communicated with the Chief Executive of Hong Kong concerning proposed changes to the Basic Law that would, if adopted, threaten freedom of speech, freedom of belief, and academic freedom. The proposed legislative changes were withdrawn in September 2003.

EI member organisation / Membership:
- Hong Kong Teachers’ Association (HKTA) / 1 822
- Hong Kong Professional Teachers’ Union (HKPTU) / 60 674
EDUCATION RIGHTS: «For several years now, Colombia has been rated the world’s most dangerous country.» [ICFTU, 2003]. The United Nations High Commissioner for Refugees (UNCHR) noted in its 2001 report that «the [civil] conflict has deteriorated to such an extent that combatants are disregarding the most basic humanitarian precept ...the defenceless civilian population and children continue to be the principal victims of these actions.» The level of violence and the human rights violations that ravage Colombian society directly affect students and their teachers. Especially in conflict zones, teachers and children are often caught in the crossfire between the state’s security forces, paramilitary groups, and guerrilla organisations. Students are confronted on a daily basis with murders, kidnappings, and «forced disappearances.» In some parts of the country students, teachers and other school staff work under constant fear for their physical safety. As well as suffering internal displacement and psychological trauma, students often have to forfeit opportunities to continue or complete their education. The Constitution provides for compulsory, public education between the ages of six and 15. Attendance is free but there are numerous costs such as books and transport. In many rural areas children live far from the nearest school. Fourteen percent of children do not attend school because of truancy, inadequate classroom space, or economic pressure due to family poverty. 400 000 civilians were displaced as result of violence and instability during 2002. The total number of internally displaced persons (IDP) may now exceed 2.5 million. Several thousand of them worked in the education sector. UNCHR reports that 72% of IDPs are women and children. EI, through its Solidarity Fund, provides some support for the families of internally displaced teachers. EI also assists teachers who have had to leave the country for security reasons. According to the Human Rights Ombudsman’s office only 15 percent of IDP children attend school. UNESCO findings are more optimistic. Families fleeing to neighbouring countries receive little assistance although only Venezuela enforces repatriation. Colombia has ratified ILO Convention 169. Approximately two percent of the population belong to indigenous ethnic groups. They live in isolated Departments of the Republic. The Constitution permits indigenous communities to educate their children in traditional dialects and in the observance of cultural and religious customs. However, like the 10.6 million citizens of African heritage, most indigenous people live in extreme poverty and face significant societal discrimination. The health and education of the children of both groups are badly neglected.

GENDER PARITY: As well as achieving a higher enrolment than males at secondary level, females outnumber males at tertiary institutions. A University of Rosario study, however, concludes that women face hiring discrimination, are disproportionately affected by unemployment and have salaries that are generally incompatible with their education and experience.
ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom, but the paramilitary and guerrilla groups maintain a presence on many university campuses. Their aim is to generate political support for their campaigns and undermine support for their adversaries through both violent and non-violent means. Paramilitaries threaten and kill university professors they suspect of leftist sympathies. Students have been compelled to withdraw from studies under pain of death. In the last seven years illegal forces have been responsible for 22 murders of students and professors at two northern universities. Leftist guerrillas tend to use universities as the basis for planning terrorist attacks. As a consequence, many professors and students adopt a low profile. Some universities have banned extracurricular social activities that might be perceived to relate to the armed conflict. Some academics have gone into voluntary exile.

CHILD LABOUR: IDP children, few of whom are able to attend school, are vulnerable to mistreatment, sexual exploitation, and recruitment by criminals. Child labour, including the worst forms of child labour, is a widespread problem. Fifteen percent of primary age children are in work and receive no schooling. Guerrilla groups routinely recruit children to serve as soldiers. The Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) also use young girls as sex slaves. An increasing number of children have deserted and a government-supported programme provides assistance for their rehabilitation. The Constitution prohibits the employment of children under the age of 14 in most jobs, especially in hazardous occupations, such as mining and construction. The government prohibits forced and bonded labour by children but is unable to enforce this prohibition effectively. In rural areas, 75% of child labourers receive, on average, one-fourth of the minimum wage, while 25% receive no pay at all. Children, as young as 11 years of age work full time in the cut flower industry where they are often exposed to toxic substances from the spraying of pesticides. Children working the marginal coal mines face many hazards including landslides, floods, fires, explosions and gas. They suffer from overexertion, hernias, lack of oxygen and bone deformation. Some schooling is available in mining areas but many of the children are too exhausted to attend. Street children are a major problem in Colombia’s cities. UNICEF estimates that 35 000 minors work as prostitutes - an increase of 10 000 since the 2nd edition of the EI Barometer. Trafficking in children is also a problem. Recruiters reportedly loiter outside secondary schools and lure adolescents into accepting bogus jobs in such countries as the Netherlands, Spain, and Japan. The National Committee for the Eradication of Child Labour conducts training programmes and the government, the main labour federations, and media representatives publish articles, broadcast documentaries, and launch programmes aimed at combating child labour. The Ministry of Education has expanded the school day in 134 municipalities in an effort to stop children dropping out and entering the labour force.

TRADE UNION RIGHTS: Both Paramilitary and guerrilla groups threaten and kill public school teachers - particularly at the secondary school level. According to EI affiliate, FECODE, 42 teachers were murdered in 2001, and 83 teachers were murdered in 2002. The Ministry of Education reported that some 800 teachers, mostly in rural areas, work under the shadow of death threats from FARC guerrillas. All members of the Executive Committee of FECODE received death threats in 2001 and some are now in exile. Colombia has been the subject of almost continuous EI Urgent Action Appeals (UAA) since the 2nd edition of the EI Barometer. In August 2003, EI renewed its call for affiliates to support the teachers of Colombia and quoted FECODE’s observation that many deaths could have been avoided if the national government had implemented reassignment for teachers at risk, which FECODE and EI had requested in 2001. In November 2001, FECODE organised protests against the decentralisation of education in Colombia. EI requested the government to open a dialogue with the principal actors of the education system, including FECODE, and to guarantee that the process would not be used to dismiss teachers. The ICGTU has described the violence, and the impunity enjoyed by its perpetrators, as having made Colombia the most dangerous place in the world to be a trade union activist.
During 2002, 184 trade unionists were murdered. The ILO Governing Body has criticised the measures adopted by government as insufficient to reduce the violence directed against trade union officials.

The Constitution protects the rights of workers to organise and engage in collective bargaining. A requirement that trade unions must represent a majority of workers in each company as a condition for representing them in sector agreements weakens workers’ bargaining power.

The 1991 Constitution recognises the rights of workers to organise unions and to strike. The right to strike is restricted by compulsory arbitration and a broad definition of essential services, which in effect prohibits public employees from striking. In practice the prohibition is ignored. The Constitution protects the right of workers, other than public employees, to engage in collective bargaining. The exclusion of the public sector from being able to bargain collectively means that Colombia does not conform to ILO Convention 98. By law public employees must accept binding arbitration if mediation fails; however, in practice public service unions decide by membership vote whether or not to seek arbitration. During September 2002, 800 000 public employees in major urban areas went on strike to protest government sponsored pension, labour, and tax reform bills.

El member organisation / Membership:
Federación Colombiana de Educadores (FECODE) / 167 000

Among the numerous terrorist groups operating in Colombia are: FARC (Revolutionary Armed Forces of Colombia) a self-styled leftist guerrilla movement with 16 500 members: ELN (National Liberation Army) with 4 500 members: several right-wing paramilitaries, most prominently AUC (United Self-Defence Forces of Colombia). It is estimated that between 12 000 and 15 000 children are members of illegal armed groups. The Armed Forces are responsible for order and security in rural areas and support the National Police in urban areas.
CONGO, DEMOCRATIC REPUBLIC OF THE

Democratic Republic of the Congo • Population: 55,225,478

| Population <15 | 46.8% |
| Illiteracy:    | 37.3% |
| Pre-primary gross enrolment: |
| Net enrolment first level: | 33% |
| Secondary gross enrolment: | m: 24.1 - f: 12.6% |
| Primary pupil teacher ratio: |

% GNP spent on education: |
Life expectancy at birth: m: 39.6 - f: 41.7 |
School life expectancy (years): |
% 2000 cohort reaching grade 5: |
Tertiary students per 100,000: 60,341 |
% government expenditure on education: |

Ratification of ILO conventions: 29 87 98 100 105 111 138 169 182

EDUCATION RIGHTS: Congolese children suffer from the social disorder and widespread disregard for human rights that affect society as a whole. The situation is exemplified in basic education, which is neither compulsory, nor free nor universal. Through 2002 the Republic remained divided into territory controlled by the government and territories controlled by several rebel factions, or foreign troops from five neighbouring countries, or ethnic militias, or other armed groups. In December agreements were made to set-up a government of national unity but it remains to be seen if these agreements can be relied upon. Nearly two million internally displaced citizens and some 300 000 others, half of them school-age children, who fled to surrounding countries need rehabilitation. In addition, the Republic still hosts hundreds of thousands of refugees, many of them women and children seeking refuge from genocide and mayhem in such countries as Burundi and Rwanda. Even in areas under government control, primary education is out of reach of the majority of families. In public schools, parents are formally required to pay a small fee, but are often expected, informally, to pay teachers’ salaries. In rural areas children work on teachers’ smallholdings to pay for their schooling. Salaries for teachers are paid only intermittently, if at all. Most schools function only in areas where parents have formed co-operatives. Government spending on education and other programmes for children has been almost non-existent. The law does not mandate access to services for the disabled. Some special schools are operated by missionaries. In December 2001, authorities beat and otherwise injured hundreds of Kinshasa University students protesting against tuition fee increases. Leaders accused of organising the protests were arbitrarily detained for three months, during which time they were severely beaten to induce them to confess to supposed links with political opposition leaders. The students were released in February 2002, and then expelled from the University of Kinshasa.

GENDER PARITY: Female adult illiteracy is almost twice that of males. In both the government-controlled and rebel-controlled areas, poverty brought on by the war has greatly diminished educational opportunities for girls. Parents under severe economic hardship no longer could afford to educate both their sons and their daughters, resulting in the withdrawal of many girls from school. In addition, in areas under control of rebels and foreign forces there are numerous reports that girls drop out of school due to threats of rape and sexual violence.

ACADEMIC FREEDOM: Academic freedom continued to be restricted, and professors and other university teachers exercised self-censorship or modified their lectures to suit the views of their ‘patrons’ in the government. Consequently, there were no reports in 2002 of students or professors being overtly censored.

CHILD LABOUR: The legal minimum legal age for employment is 18 years. Employers may legally hire minors between age 14 and 18 with the consent of a parent or guardian, but those under 16 may work a maximum of four hours
a day. Employment of children of all ages is common in the informal sector and in subsistence agriculture, which form the dominant portions of the economy.

Unlike in previous years, there were no reports of the forcible conscription of children in the government-controlled territory, and the government continued to collaborate with UNICEF to demobilise child soldiers in the military. Rebel forces, foreign troops, Mai-Mai forces, Hutu militias, and other armed groups committed numerous, serious abuses with impunity against civilians, including deliberate large-scale killings, cannibalism, burning of entire villages, disappearances, torture, rape, dismemberment, mutilation, extortion, robbery, arbitrary arrests and detention, harassment of human rights workers and journalists. Forcibly recruited child soldiers witnessed and sometimes participated in these crimes and atrocities.

The number of orphans and street children in cities such as Kinshasa increased during 2002. They were regularly subjected to harassment and intimidation by soldiers and the police including being rounded up and taken to inadequate facilities outside the city. Child prostitution was common in the capital and in other parts of the country. There were reports during the year that girls were forced into prostitution to earn money for their families. Neither the Ministry of Labour, which is the responsible body, nor the labour unions effectively enforces child labour laws.

**TRADE UNION RIGHTS:** In the public sector, the government sets wages by decree; public sector unions acted only in an informal advisory capacity. In areas under government control, the law provides for the right to bargain collectively. The law recognises the right to strike; however, legal strikes rarely occurred because the law requires unions to have prior consent and to adhere to lengthy mandatory arbitration and appeal procedures. Labour unions were not able to defend effectively the rights of workers in the deteriorating economic environment.

**EI member organisation / Membership:**
Fédération Nationale de l’Enseignement Supérieur, Science et Culture [FEDESCU/UNTZA] / 1 800
Fédération Nationale des Enseignants du Congo [FENECO/UNTC] / 149 769
Syndicat des Enseignants du Congo [SYECO] / 84 367

**FOOTNOTE:** The Democratic Republic of the Congo is also known as Congo-Kinshasa, and formerly as Zaïre.
EDUCATION RIGHTS: Legally schooling is free and compulsory for children between the ages of 6 and 16 years. Limited resources severely hinder achievement of this objective. The civil war in 1997 and further conflict in 1998-99 displaced about a third of the population. Many southern towns, like Brazzaville, were looted and infrastructure, including schools, destroyed. UNHCR reports large numbers Angolan refugees sheltering at Pointe Noire. Over 100,000 refugees fled the Democratic Republic of Congo (DRC) to northern regions of the country. No data was available on whether refugee children had access to education. An ethnic minority, the Babinga/Baguielli (Pygmies), remain severely marginalised in areas such as education. However, NGOs prepared a small foreign-funded programme during 2002 to benefit the Babinda educationally.

GENDER PARITY: Current rates of literacy are unknown but are believed to have fallen as a result of the widespread destruction of schools, displacement of persons and political instability. However, it appears that approximately 26% of adult women are illiterate as compared to 12% of males. Girls and boys attend primary school in equal numbers, but there is a steep decline in the number of females carrying on to secondary and tertiary levels. 25% of the students at the country’s only university, Marien-Ngouabi, are female. A reliable source reports that teenage girls were often pressured to exchange sex for better grades. The practice results in social problems, including unwanted pregnancies and the spread of HIV/AIDS.


CHILD LABOUR: The Ministry of Labour is responsible for enforcing child labour laws, and concentrates its efforts only on the formal wage sector. Children work in rural areas and in the informal sector.

TRADE UNION RIGHTS: The Congo functions under a revised Constitution, rather than the Fundamental Act of 1997. The Constitution provides workers with the right to form unions of their choice and affirms the right to strike, subject to conditions and notification of intention. The Labour Code allows for collective bargaining, and this right is respected. Most workers in the formal sector and the civil service are union members. Strike activity by some teachers resulted in their salaries being withheld - an uncommon practice in Africa.
EI member organisation / Membership: Fédération des Travaillers de la Science, des Sports, de l’Enseignement, de l’Information et de la Culture (FETRASSEIC) / 10
748

FOOTNOTE: Congo is also known as Congo-Brazzaville.
**COOK ISLANDS**

Population: **15,000**

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>% GNP spent on education:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>5%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td>64%</td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Life expectancy at birth:</th>
</tr>
</thead>
<tbody>
<tr>
<td>m: 69 - f: 73</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School life expectancy [years]:</th>
</tr>
</thead>
<tbody>
<tr>
<td>% 2000 cohort reaching grade 5:</td>
</tr>
<tr>
<td>Tertiary students per 100,000:</td>
</tr>
<tr>
<td>% government expenditure on education:</td>
</tr>
</tbody>
</table>

3.2% 11

Cook Islands is not a member of the ILO or the United Nations.

**EDUCATION RIGHTS:** The country follows the New Zealand education curriculum. School is free, secular and compulsory for a child from age five until the end of the year in which he or she turns 15. By this age a student is expected to have completed the 10th grade. There is at least one primary school on each permanently inhabited island. There are seven secondary schools and Tereora College provides education up to the 13th grade. 85% of students attend public schools. Early childhood education is available. New Zealand and Australia provide scholarships for qualified students to study at overseas upper secondary and tertiary institutions. As a consequence many Cook Islanders leave to continue their education and do not return, apart from visits. The post-secondary institutions include a teacher training college, a nursing school, a trade training centre, and a hospitality and tourism training centre. The University of the South Pacific has a small extension centre providing vocational, foundation and degree courses in the capital, Avarua, on Rarotonga.

**GENDER PARITY:** Boys and girls have equal access to education.

**ACADEMIC FREEDOM:** Cook Islands is one of 12 countries that jointly own the University of the South Pacific. Reports indicate that the government respects the University Senate’s authority, and does not interfere with its academic independence. (See also Fiji.)

**CHILD LABOUR:** An Ordinance prohibits employment of any child under 16 years of age in a factory unless approval is given by the Industrial Relations Officer (IRO). Minors are prohibited from working in any “dangerous occupation”. The IRO has the authority to determine what constitutes dangerous.

**TRADE UNION RIGHTS:** Freedom of association and the right to collective bargaining are recognised in law.

**EI member organisation / Membership:**
Cook Islands Teachers’ Institute (CITI) / 616

Cook Islands is a self-governing state in free association with New Zealand. As a non-member state of the United Nations, in 1997 it became the 191st country to ratify the UN Convention on the Rights of the Child. In consultation with the Cook Islands’ government, New Zealand has responsibility for defence and foreign affairs. Cook Islanders also have New Zealand citizenship and between 50 000 and 60 000 live in New Zealand. The Archipelago has a declining population and a tendency to lose its skilled and educated youth. The fifteen inhabited islands have a total land area of only 240 square kilometres and they cover an economic oceanic zone of 1 830 000 square kilometres. (See also New Zealand.)
EDUCATION RIGHTS: Costa Rica has one of the highest rates of literacy in Latin America. Nine years of education is free and compulsory for all children. Public education is relatively well funded. The state publishes specific classroom guidelines for assisting children with physical or intellectual disabilities and operates 46 special education centres. The Republic’s 40,000 indigenous people live in remote communities and often lack access to schools. Religious education teachers in public schools must be certified by the Catholic Church, which does not certify teachers from other denominations or faiths. The government has initiated a bill that would devolve responsibility for education provision to municipalities. EI affiliates are concerned over the implications for education funding and for employment rights.

GENDER PARITY: There is no distinction between boys’ and girls’ education at the compulsory level. More women than men are enrolled in higher education. Women are increasingly represented in leadership positions in politics. They make up 45% of the personnel in professional and technical jobs, and 30% of legislative, senior official, and managerial positions. The law supports pay equity but women earn only 78% of the income earned by men. This is despite the fact that 20.5% of women have some university education: twice the percentage figure for the male population.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The National Institute for Children, an NGO, implements government policy and is charged with protecting and promoting children’s rights. The minimum working age of 15 years is generally enforced in the formal sector but is abused in the informal economy. The Ministry of Labour reports that up to 72,000 children between five and 17 years of age work illegally instead of attending school. Government ministries, in co-operation with the ILO, UNICEF and NGOs, are working to phase out child labour in the formal sector. Child prostitution is a serious problem in urban areas although it has been a criminal offence since 1998. The authorities enforce the law and the government offers indirect assistance, such as stay-in-school programmes, to child victims of trafficking. Foreign child victims are usually deported to their country of origin without support.

TRADE UNION RIGHTS: An ILO report, dated November 2001, found that unions were independent, active and enjoyed the right to organise and express their views freely. The report was critical of several rulings issued by the Constitutional Court, concluding that it «emphasised the confusion, uncertainty, and even legal insecurity» with regard to the scope of public sector employees to bargain collectively. The ILO’s Committee of Experts (COE) continues to identify serious flaws in the labour law and urges the government to adopt measures to bring the law into full compliance with internationally recognised workers rights. «Solidarity associations» promoted by Employer cartels discourage trade union organisation and collective bargaining. In June 2003 EI intervened with the president of the Republic, calling for
payment of salaries to teachers. The request remained unanswered. EI affiliates SEC and ANDE initiated strike action on the issue.

EI member organisation / Membership:
Asociación Nacional de Educadores (ANDE) / 37,924
Asociación sindical de Profesores y Funcionarios Universitarios (ASPROFU) / 960
Sindicato de Trabajadores de la Educación Costarricense (SEC) / 18,000
EDUCATION RIGHTS: The Republic is one of the most prosperous tropical African States. However, falling cocoa prices and political instability from a failed coup attempt and ongoing rebellion sparked an economic downturn during 2002-03. These factors had adverse consequences for the right of children to a basic education. According to the United Nations High Commission for Refugees (UNHCR), there were 72 000 registered refugees in the country prior to renewed civil disturbances in Liberia.

Primary education, up to age 13, is free but not compulsory. Poverty causes many children to leave the formal school system between the ages of 12 and 14. A student who fails the secondary school entrance examination does not qualify for free secondary education. Secondary school attendance is restricted by the difficulty of the entrance examination and the inability of the government to provide sufficient places for all who wish to attend. Government statistics show that 57% of school age children (6 to 18 years) attended primary school in 2000-01. This is a small increase over earlier years and is attributed to government and international agency initiatives. The World Food programme has assisted with the provision of school canteens providing cheap meals in school.

GENDER PARITY: There is a parental preference for educating boys, which is noticeable throughout the country but more pronounced in rural areas, especially in the North. Nearly 63 percent of adult females are illiterate. According to UNICEF, 62% of girls of primary school age were enrolled in school in 2000. However, the percentage of girls attending high school was less than ten percent. According to the Minister of National Education, almost one-third of the female dropout rate was due to pregnancies, at times as a result of a liaison with a male teacher. Some 27% of students enrolled in higher education are women. Women’s advocacy organisations continue to sponsor campaigns against the early marriage of children and against female genital mutilation (FGM), which the law specifically prohibits.

ACADEMIC FREEDOM: No law deals specifically with academic freedom but political expression is considered inhibited by the fact that most higher education institutions are under the direct patronage of the government. Some faculty members say they fear unfavourable transfers because of their political views. The student union continues to claim that informants operate on campus. A presidential decree requires authorisation for all meetings on campuses.

CHILD LABOUR: Child labour, forced child labour, and trafficking in children are problems. Approximately 109,000 child labourers work in hazardous conditions on cocoa farms. Some of these children are forced or indentured but the majority work family farms with their families. In most instances, the legal minimum working age is 16 years, and the Ministry of Employment and Civil Service enforces this provision effectively in the civil service and in large multinational companies. However, children often work on family farms, and some of them routinely work in the informal sector in cities. There are reliable reports of some use of child labour in informal sector mining and also of children working in...
‘sweatshop’ conditions in small workshops. There are reports that suggest there are at least 215,000 street children nationwide. Cities, especially Abidjan, have large populations of street children. The government has taken steps to rescue street children, including holding parents legally and financially responsible for their abandoned children and for the development of training centres where children can learn a trade. The abuse of foreign children is widespread. Hundreds and perhaps thousands of Malian and Beninese children were trafficked and sold into indentured servitude on Ivorian plantations. The government of Mali and UNICEF took steps to halt this trafficking and repatriate the children. In 1998, Beninese police intercepted almost 1,000 children being sold into slavery in Côte d’Ivoire and adjacent countries. Rebel factions recruited youths and children to join their ranks. The practice of ‘confiage’ where children are sent to a relative’s home, supposedly to get education, is often a misrepresentation of what is actually happening and children instead work on plantations or as domestic servants.

TRADE UNION RIGHTS: The law provides workers with the right to form and join unions. The right to strike is provided by the Constitution and by statute. Any strike started without notice is prohibited. Strikes must be preceded by a complicated conciliation, mediation and arbitration procedure. Collective bargaining agreements are in effect in many major business enterprises and sectors of the civil service. There has been difficulty over the last few years in obtaining recognition for new unions. This has now been rectified. As a result of the government’s desultory method of drawing up annual budgets for the education sector, qualified unemployed teachers are often hired ‘at the last minute.’ This allows the government to obtain their services for low pay. Teacher unions have been demanding that the government respect promises made regarding salaries and allowances.

EI member organisation / Membership:
Syndicat National de l’Enseignement Primaire Public de Côte d’Ivoire (SNEPPCI) / 27 170
Syndicat National de la Recherche et de l’Enseignement Supérieur (SYNARES) / 1 172
Syndicat National des Enseignants du Second Degré de Côte d’Ivoire (SYNESCI) / 27 170
Syndicat National des Enseignants d’Education Permanente de Côte d’Ivoire (SYNADEEPCI) / 2 000
EDUCATION RIGHTS: Primary education is compulsory, free and universal for Croatian citizens for eight years, from age six or seven until 14 or 15. In 2001-02, 400,100 pupils were enrolled at 2,134 primary schools. Croatia considers pre-school care and education an integral part of the education system and in 2002 provided 1,051 facilities and 6,566 teachers for 160,000 children aged six years and under. Although secondary school attendance is not compulsory, the majority of students continue school to age 18. Some 400,000 students were involved in secondary level education in 2001-02. There have been criticisms of Croatia’s approach to the education of minorities and displaced and refugee children. Ethnic Croat refugees are not eligible for free education and other social benefits until a protracted paper trail leading to citizenship is finalised. Serbian Croatian students have been obliged to follow the Croat curriculum. Consecutive governments have been slow to replace chauvinistic textbooks which contain offensive references to minorities. Amnesty International’s (AI) 2003 report commented on the continuing discrimination faced by Roma children in the school system. AI cited, as an example, the Medjimurje county experience where an attempt to allow Roma children into mainstream classes brought such strong objections from local Croats that eventually the Roma were segregated into classes with a lower standard. Although attendance is not mandatory, there are numerous reports that students feel pressured to attend religious instruction classes where the Catholic catechism is predominately offered. The Republic appears responsive to such critical concerns. Reforms of the education system, according to the Ministry of Education and Sport, are based on the principles of a pluralistic society - promoting coexistence, tolerance and democratic standards. In co-operation with UNESCO and the Council of Europe, Croatia is developing a National Programme in Human Rights and Democratic Citizenship. The programme is intended, through education, to develop a culture of peace and non-violence. The republic has four universities and 98 other colleges and faculties of higher learning. Some of the education unions have been active in trying to recruit members across ethnic lines to help support multi-ethnicity.

GENDER PARITY: The government promotes gender equality. Girls and boys attend school in equal numbers and 52% of tertiary students are women. Legally women are free to participate fully in government and politics. Half the judges of the Supreme Court are women. Despite legislation prohibiting gender discrimination pension statistics indicate that women’s salaries average 26% less than those of their male counterparts. The Labor Code provides one year of maternity leave.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment is 15 and the law is enforced. Under the Constitution, children may not perform forced or bonded labour, or engage in work that is harmful to their health or morality. Workers under the age of 18 are entitled to special protection and may not be employed for heavy manual work or on night shifts.
TRADE UNION RIGHTS: Workers are entitled to form or join unions of their choosing. Collective bargaining is protected by law. There have been a number of cases of unionists being intimidated or dismissed for their union activities. Following a Supreme Court decision, the law has been amended so that workers are entitled to strike for non-payment of wages. There are limitations, under the Constitution, on the right to strike by public servants. Secondary teachers went on strike in May and obtained a collective bargaining agreement with Ministry of Education and Sport. In 2003, the Croatian Government submitted a Bill to Parliament to amend the Labour Law. The Bill would substantially change employment contracts and the system of industrial relations. Worker insecurity would be increased in a situation where unemployment is already very high. Severance pay would also be reduced in case of dismissal.

EI member organisation / Membership:
The Croatian Teachers’ Union (CTU) / 25 000
Independent Trade Union of Workers in Secondary Education of Croatia (ITUWSEC) / 17 000
Independent Union of Research and Higher Education Employees of Croatia (IURHEEC) / 8 429
Trade Union of Workers in Pre-School Education in Croatia (TUWPSEC) / 10 000
Education Trade Union of Croatia (ETUC) / 2 100
EDUCATION RIGHTS: Since 1991, education has been free and compulsory between six and 15 years of age. Parental neglect and poverty are factors determining why several hundred school-age children do not attend school. The children of illegal or undocumented immigrants, especially from Haiti and the Dominican Republic, are also less likely to enjoy their entitlement to the right to education. Education on Curaçao is the joint responsibility of the federal government of the Antilles and the local government. The education system is organised in the same manner as the Dutch system, although the Netherlands has no responsibility for its administration. The first language of instruction on Curaçao is Papiamentu, which is derived from African, Portuguese, Spanish, English and Dutch language influences. To ensure that students are qualified to continue higher education abroad, English, Dutch and Spanish are introduced at the primary level. Dutch and English, as well as Papiamentu, are languages of instruction at secondary school. The government has steadily introduced locally designed textbooks which better reflect the community’s language and culture. Early childhood education is widely available for four and five year olds. Curaçao has a vocational training school for children with special needs. Private schools have a larger enrolment than public schools. Higher education is available at the University of the Netherlands Antilles [founded 1970] in Willemstad, on Curaçao. There is a teacher’s training college on the island. A shortage of qualified teachers is a problem at all levels of education.

GENDER PARITY: Women represent 58% of enrolments at university and at post-secondary colleges.

ACADEMIC FREEDOM: Academic freedom is comparable to that enjoyed in the Netherlands and is not restricted by the government.

CHILD LABOUR: Curaçao is party to international conventions regarding child labour. The minimum age for employment is 15 years, and minors between the ages of 15-18 years may only work with parental consent. The law is not well administered and some minors engage in hazardous occupations. Drug trafficking by children as young as four years has been reported. There are counselling and preventative services combating the problem. There is no specific law addressing child pornography or child prostitution, although (undefined) the ‘sexual abuse’ of children is a punishable offence. There is no facility for convicted young offenders and in prison they are not segregated from adults. The government undertook to rectify this breach of the Convention on the Rights of the Child (CRC) when it was ratified in 1998.

TRADE UNION RIGHTS: According to the Education For All (EFA) report for the Netherlands Antilles, teachers and their union are considered to be in partnership with federal and local government in the development of education
policy and programmes. With regard to ILO Conventions: since 1986 the Constitutional entity of the Kingdom of the Netherlands has included Curaçao.

EI member organisation / Membership:
Sindikato de Trado den Edukashon na Korsou (SITEK) / 1 300
EDUCATION RIGHTS: Both the government and the Turkish Cypriot authorities are strongly committed to children’s rights and welfare. In the Republic education is compulsory from age five to age 15 or the completion of secondary school and free through to age 18. In the Turkish Cypriot community education is free and compulsory from age five to 15. Instruction in the Orthodox religion is mandatory for all Cypriot Orthodox children and is taught in all public primary and secondary schools. Despite improvements in living conditions for Greek Cypriots in the Turkish North there is no Greek language facility above the primary level. If the students go to the Republic to continue their education they lose their right to return to live permanently in the North. Higher education is provided by the University of Cyprus [1989] and other tertiary level institutions. A large number of students elect to continue their post-secondary education abroad. Turkish Cypriots students participate in university entrance examinations set by the Ministry of Education of the Republic of Turkey.

GENDER PARITY: There is no difference in the educational opportunities available to boys and girls in either sector. Nearly 60% of the students enrolled in the Republic’s tertiary institutions are women. Legal provisions in both the Republic and the Turkish Cypriot community require equal pay for work of equal value and the law is enforced effectively at the white collar level. Turkish Cypriot women in the North, employed in the agricultural and textile sectors, routinely are paid less than their male counterparts.

ACADEMIC FREEDOM: The government of the Republic does not restrict academic freedom. The Turkish sector makes the same claim but during 2001 Turkish Cypriot teachers’ union members were beaten by police while protesting the suspension of a history teacher who had published an article critical of Turkey and its military. The authorities eventually brought criminal charges against both the teacher and the union.

CHILD LABOUR: In both communities the minimum age for employment of children in an ‘industrial undertaking’ is 16. Turkish Cypriots may be employed in apprentice positions at age 15. There are labour inspectors in both communities. In family-run shops it is common to see younger children working after school. Children as young as 11 or 12 years work in orchards during their school holidays in the Turkish Cypriot community. In 2000 the Republic passed a law making it a crime to engage in the sexual exploitation or trafficking of children. Turkish Cypriot authorities deny the existence of trafficking in their community.

TRADE UNION RIGHTS: In the Turkish Cypriot community union officials allege that various firms have established «company» organisations and then pressed workers to join. Officials of autonomous labour unions also accuse the Turkish Cypriot authorities of creating rival public sector unions to weaken independent unions. In both the Republic
and the Turkish Cypriot region, trade unions freely and regularly take stands on public policy issues affecting workers and maintain their independence from the authorities. By law trade unions and confederations are free to organise and bargain collectively throughout Cyprus but Greek Cypriot collective bargaining agreements are not enforceable. In the Turkish Cypriot community wage levels are reviewed several times a year for both private and public sector workers and a corresponding cost-of-living raise is established. All workers have the right to strike but in the North employers have an unrestricted right to hire replacement workers in the event of a strike, thereby limiting the effectiveness of taking strike action. In addition, authorities in both the Republic and the Turkish Cypriot community have the power to curtail strikes in «essential services,» although this power is used rarely in practice. Education unions in the TRNC have supported a movement entitled «This Country is Ours» which calls for a united Cyprus that respects the rights of all Cypriots. The TRNC authorities forcibly restrained demonstrations in support of the movement.

**El member organisation / Membership:**
- Cyprus Turkish Secondary Education Teachers’ Union (KTOEOS) / 1 423
- Cyprus Turkish Teachers’ Trade Unions (KTOS) / 1 054
- Organisation of Secondary School Teachers of Cyprus (OELMEK) / 3 010
- Association of Teachers of Technical Education Cyprus (OLTEK) / 463
- Cyprus Greek Teachers Association (POED) / 3 010

Cyprus has been a divided country since 1974. It has a total population of about 917 000. The Republic of Cyprus (RC) is recognised internationally. The Northern part of the island calls itself “The Turkish Republic of Northern Cyprus” (TRNC) but, with the exception of Turkey, it has no international standing. The European Human Rights Commission (EHRC) has declared TRNC “a subordinate local administration of Turkey operating in Northern Cyprus.” The Republic and the Turkish region are separated by a UN patrolled buffer zone. There are two large United Kingdom military bases on Cyprus totalling 256 sq. km in area. Since 2001 a number of international initiatives have been taken to resolve the longstanding dispute but without success. In February 2004, the United Nations Secretary General announced that an agreement had been reached to resume negotiations on unity with a deadline for completion of May 2004 to coincide with the entry of Cyprus into the European Union.

Although TRNC is not eligible for ILO membership, the territory reports that its administration endorses the ILO Fundamental Conventions.
EDUCATION RIGHTS: Education is compulsory from age 6 to 15 years of age. During the 2001-2002 academic year, 1,045,313 school-age children were enrolled, almost exclusively in public schools. Early childhood education is widely available for children three to five years of age. General secondary schools are attended by students from 15 to 18 years of age and comprise gymnasiums, secondary technical schools, and secondary vocational schools. Gymnasiums are considered preparation for study at higher education institutions and for professions. Higher education is free but fees are charged to students who repeat a year. The universities offer courses to the Doctoral level. Other higher education institutions provide mainly Bachelor level study programmes. There are 14 private post-secondary institutions, which are partially financed by the State. Primary school teacher cadets follow at least a four-year course. A Master’s degree is the minimum qualification for secondary teachers. There are several distance education centres and an Open University. A 2002 estimate puts the Roma population at between 150,000 and 175,000. Although the Constitution provides for the equality of citizens irrespective of race or social status, the majority of Roma remain outside the mainstream of Czech society. They have a high rate of adult illiteracy and less than 5% complete secondary school. The integration of Roma children into mainstream schools is frequently impeded by language and cultural barriers. It is alleged that the number of Roma children relegated to «special schools» for the mentally disabled and socially maladjusted constitutes de facto racial segregation. The European Roma Rights Centre claims that Roma children are fifteen times more likely to attend special schools than other Czech children. Government programmes and various NGO initiatives now exist to prepare Roma children for mainstream schools. In January 2002, the Minister of Education announced a long-term plan to phase out the special schools and mainstream pupils from them into regular classrooms. There has been a Department of Romani Language Studies at Charles University in Prague since 1991, and university-level Romani language study programmes in two other institutions. Polish and Slovak minorities receive education in their mother tongue. In February 2003 the government proposed to introduce legislation that would alter the system of education funding. EI urged the government to enter into discussions with CMOS PS to ensure that any change would not allow different standards of education provision in the Republic based on where one lived. From 1st September 2003, primary and secondary teachers remained closed and more than 72,000 teachers and education employees went on strike to protest the upcoming fiscal reform of education.

GENDER PARITY: Girls and boys enjoy equal access to education at all levels. Women account for 50% of enrolments at institutions of higher education. The law bans discrimination based on gender but in practice employers are not held accountable when making hiring decisions.

ACADEMIC FREEDOM: The law provides for academic freedom but prohibits activities by established political parties at universities. A 1991 vetting law prevents many former Communist-era officials from holding senior positions.
in a wide range of appointed positions, including at universities. The European Commission has consistently noted the need to eliminate the law. As well as a violation of human rights, the law is based on incomplete and unreliable records and those accused do not have adequate redress.

**CHILD LABOUR:** The Labour Code, which is effectively enforced, stipulates a minimum working age of 15 years, although children who have completed courses at the ‘special schools’ may work at age 14. Trafficking in girls for the purposes of forced prostitution is a problem. Young Roma children are particularly vulnerable to sexual exploitation. The Republic remains a popular destination for paedophiles. During 2002, the police took measures to prevent ‘sex tourism’ more effectively. Convictions of sexual abusers of children - including child pornography in print, video, CD-ROM, or on the Internet - were reported routinely in the media. The government does not provide direct assistance to victims, but refers them to NGOs.

**TRADE UNION RIGHTS:** Workers have the right to form and join unions of their own choice without prior authorisation. The law requires that labour disputes be subject to mediation and that strikes take place only if mediation efforts fail. New legislation, which enters into force in January 2004, will allow employers to dismiss trade union officers without having to request the prior authorisation of the union. The ICGFTU states that some employers attempt to prevent workers from organising by means of direct and indirect pressures. In the government sector, wages are regulated by law and it is not possible to bargain collectively for salaries and working conditions in the public service. A new draft law bars public sector employees from collective bargaining. The government has explained this violation of ILO Convention 98 by virtue of the fact that wage levels set by collective agreements could have a bearing on the state budget. Public sector workers and their unions are instead offered the possibility of signing agreements with the public sector employer concerning some elements of their contract - excluding wages, working conditions and working times - but these agreements are not legally binding.

**EI member organisation / Membership:**
- Czech and Moravian Trade Union of Workers in Education (CMOS-PS) / 94 946
- Trade Union of Workers in Science and Research (TUWSR) / 2 067
EDUCATION RIGHTS: The Kingdom has a well-developed, well-administered, and amply funded education system. Primary education has been compulsory since 1814. All children must attend school from age seven to 16. At least 75% of four-year-olds participate in early childhood services and there are pre-primary classes for six-year-olds. 75% of 6-9 year-olds participate in after school care services. Primary education is a nine-year course and the vast majority of children complete the 9th grade. 96% of those who graduate from primary school continue their education - 58% attend academic secondary education and 38% vocational secondary education. The Evangelical Lutheran faith is taught in public schools, but students may withdraw from religious classes with parental consent. The State contributes to the support of private schools. Denmark has a small German minority for whom German schools, curricula and teachers are provided through a reciprocal agreement with the German government. There are six major out of a total of twelve universities in Denmark and about 45% of secondary school graduates continue to higher education. The «Better Education» programme, a recent government initiative is intended to strengthen further upper secondary, tertiary and adult and continuing education.

GENDER PARITY: Equality of opportunity applies to the education system at all levels. Approximately 53% of graduates at universities and other post-secondary institutions are women. The law requires equal pay for equal work but some wage inequality remains.

ACADEMIC FREEDOM: In the new University Act which passed the Parliament in 2003, it is specified that the university teacher can only work within subjects confirmed by the University Board as part of their strategy. In addition to this, the leader of an institute can demand the teacher to work upon need on specific tasks. It is only in the working hours where the university teacher is not instructed to do something else that she/he can exercise the freedom limited by the strategy.

CHILD LABOUR: The minimum age for full-time employment is 15 years. This is effectively enforced. A 1996 Change in the Work Environment law tightened employment rules for those under 18 years of age and set a minimum of 13 years of age for any type of part-time or vacation work. Denmark prosecutes persons who sexually exploit children.

TRADE UNION RIGHTS: 80% of wage earners belong to unions. Collective bargaining is protected by law and is widespread in practice. Civil servants do not have the right to strike. Teachers are no longer considered civil servants but are employed by local authorities under collective contracts. In general terms, the status of teachers, their remuneration and their working environment have improved in recent years.
EI member organisation / Membership:
The Danish Union of Teachers (DLF) / 70 000
Dansk Magisterforening (DM) / 6 792
The Danish National Federation of Early Childhood Teachers and Youth Educators (BUPL) / 55 000
Federation of Teachers of Technical Education (DTL) / 5 300
Gymnasieskoles Laererforening (GL) / 10 040
Landsforbundet af Voksen og Ungdomundervisere (LVU) / 5 770

FOOTNOTE: Denmark has some responsibility for two self-governing overseas entities - Kalaallit Nunaat (Greenland) (Population: 56 376), granted Home Rule in 1979, and Faroe Islands (Population: 45 000), granted Home Rule in 1948. Both entities have jurisdiction over education.
EDUCATION RIGHTS: Primary education is free and compulsory between the ages of 6 and 12. However, the authorities do not monitor compliance and additional costs related to school attendance are prohibitive for many parents. As reported in the 2nd edition of the Barometer, many schools are in poor condition and need upgrading. Although French is the usual language of instruction, there has been a growing emphasis on Islamic teaching, particularly as Saudi Arabia has declared an interest in providing aid for education. The government devoted almost no public funds to the advancement of children’s rights and welfare. Teacher salaries are only paid sporadically and this has resulted in a large number of qualified teachers leaving the profession. The country hosted up to 100,000 refugees and illegal immigrants during 2002. Whether The United Nations High Commission for Refugees (UNHCR) and other agencies were able to provide basic education for the numerous children involved is not known. Groups of students protesting at their exclusion from graduate examinations were dispersed by tear gas in April 2002 and 11 students were held in custody, without charge, for a week. Of some 1,400 pupils completing primary school annually, only 400 get places in secondary education. Approximately 20% of children complete secondary school.

GENDER PARITY: Only 23% of girls attend secondary school compared with 33% of boys, leading to a situation in which only 32% of girls are literate compared with 60% of boys. The government’s expressed commitment to increasing the number of female students in primary schooling was cited in the 2nd edition of the EI Barometer. Unfortunately, there has been no improvement. At tertiary level, however, women now make up over forty percent of enrolments. Female genital mutilation (FGM) is illegal but there have been no prosecutions and it is believed that 98% of the female population have undergone mutilation, including, in many cases, infibulation, the most invasive and dangerous form of mutilation.

ACADEMIC FREEDOM: Available reports do not cite government restriction on academic freedom.

CHILD LABOUR: The law prohibits all labour by children under the age of 14, but the government does not enforce this prohibition effectively. Children are generally not employed for hazardous work. Children may, and do, work in family-owned businesses, such as restaurants and small shops, at all hours. Many young girls are involved in selling goods on the street.

TRADE UNION RIGHTS: Numerous restrictions undermine freedom of association and the right to strike. The law recognises the right of workers to join trade unions, but with limitations. A union can only be formed with the prior authorisation of the government. In order to hold trade union office, a person must be a Djibouti national. The proposed new Labour Code, drafted unilaterally by the government, will make it even more difficult to establish a trade union.
Similarly, while the right to strike is recognised, it is curtailed. The authorities have broad powers to requisition public servants who are on strike, and unions planning strike action must contact the Ministry of the Interior 48 hours in advance. Trade union action has been repeatedly repressed ever since the government sacked nine leaders of the ICFTU-affiliated Djibouti Union of Labour (UDT) and the Djibouti General Workers’ Union (UGTD) in 1995 in retaliation for a protest strike against structural adjustment measures. The government then created a completely unrepresentative « trade union collective ». After ILO pressure and during visits by international trade union delegates, the government has repeatedly promised that the situation would improve and that it would allow the UDT and UGTD to hold a congress. However in 2002, the government supported dissidents who disrupted the UDT national congress. Although the congress was cut short, it re-elected the legitimate leaders. In September 2002, the UDT managed to hold its 2nd ordinary congress, which was attended by representatives of international organisations like ICFTU-AFRO, despite government attempts to prevent this. Both organisations have had their dues frozen, their bank accounts blocked, and their premises confiscated, while union leaders have been harassed and protest demonstrations have been met with police violence. The government has rejected repeated proposals for dialogue and conciliation and consistently reneged on promises to apply ILO recommendations on trade union freedoms. Teacher unions have also been repressed. In 1996 teacher union leaders and scores of teachers were sacked after striking in protest at salary arrears. In 1997, five officials from the secondary schoolteachers’ union SYNESED were dismissed and disqualified from teaching for taking part in the salary protests. Occasional salary protests by teachers and other civil servants continue. Some of the people dismissed as a result of strikes and protests were offered teaching jobs, but had to agree to forego union activity. A teacher leader of the 1997 strike was officially reinstated in March 2002, but by the end of that year was still not teaching.

EI member organisation / Membership:
Syndicat des Enseignants du Second Degré [SYNESED] / 121
Syndicat des Enseignants du Premier Degré [SEP] / 356

EI BAROMETER OF HUMAN AND TRADE UNION RIGHTS IN THE EDUCATION SECTOR - 2004

DJIBOUTI
EDUCATION RIGHTS: Education is free and compulsory until age 16. There are 65 primary schools and 14 secondary schools. Dominica has a teacher training college and an extra-mural department of the University of the West Indies. The present government’s pledge to establish a national system of education for the island’s early childhood education facilities has been hampered by lack of staffing in government agencies. Dominica’s Constitution does not guarantee that its children have a right to an education. In mid-2003 the government proposed introducing enrolment fees for secondary education, as well as reducing both the monetary value and the number of bursaries on offer. There is a Carib Amerindian population of approximately 3,500. Most live on a reserve and have a degree of self-government. They have, like other rural Dominicans, rudimentary primary school facilities but there is no secondary school on the reservation. The Commonwealth ratified ILO Convention 169 in June 2002. No specific legislation addresses problems facing persons with disabilities other than the general protection offered in the Constitution.

GENDER PARITY: According to the most recent EFA Monitoring Report Dominica is at risk of not achieving gender parity in education by 2005. There are no impediments in law or in practice to the participation of women in leadership roles in government or political parties.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: The minimum legal age for employment is 15 years. Employers generally observe this law without government enforcement. Further legislation will, if passed, raise the minimum age for employment to 16. The government runs a Youth Skills Training Programme and has sought to introduce school-leavers to the principles of commercial agriculture.

TRADE UNION RIGHTS: All workers have the legal right to organise, to choose their representatives and to strike. Unions represent less than 10% of the total workforce, but 55% of government workers. Unions have legally defined rights to organise workers and to bargain with employers. Collective bargaining is widespread in the non-agricultural sectors of the economy, including the government service. The government is plagued by cash flow problems and early in 2003 reduced public sector salaries, including teachers’ salaries, by 4%. EI affiliate, DAT, is a member of a task force seeking solutions other than further retrenchment.
EI member organisation / Membership:
Dominica Association of Teachers (DAT) / 650
EDUCATION RIGHTS: The Republic provides free, compulsory education for children between the ages of seven and 14. Three years of early childhood education is offered in some areas. However, some 20% of seven-year old children residing in the Republic do not go to school. In rural areas there are major problems of access to schools resulting from a lack of adequate funding for buildings and new classrooms, as well as a chronic shortage of teachers. The intermediate school and four-year secondary courses are out of reach for the majority of Dominicans. There is endemic prejudice against foreigners and persons of African descent. Haitian children are especially disadvantaged. Haitians continue to migrate in great numbers to the Dominican Republic. Some are there legally but the vast majority are without legal documents, and in search of economic opportunity. As many as 500 000 Haitian immigrants live in primitive worker camps where their children receive little or no education. Lack of official status has been used by the authorities to deprive children of Haitian descent of their right to access to basic education. Homeless children are another group not at school and the government finds it difficult to cope with the problem. In 2001, the Secretary of Education announced that all children would be allowed to enrol in school through the eighth grade, whether or not they had a birth certificate. Founded 1538, the Autonomous University of Santo Domingo is the oldest university in the Americas. It is the main public university of the Republic and is badly under funded.

GENDER PARITY: Young women enrol at and graduate from secondary school in greater numbers than young men. The Republic has not produced up-to-date figures on gender parity at higher education levels.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom. However, the EI Barometer is not able to revise the conclusion of the 2nd edition that non-Roman Catholic teachers appear to be disadvantaged with regard to appointments.

CHILD LABOUR: Despite the government's self-promotional commitment to child welfare, child labour is a serious problem. NGOs carry the burden for welfare services. The law prohibits the employment of children under 14 years and restricts the employment of children under the age of 16. Many children begin work before the legal age, mainly, but not exclusively, in the informal economy. A 2002 national survey found that 430 000 children between the ages of five and 17 work. 56% were under the age of 14, and 21% between 14 and 15 years. To some extent, 90% of those in work attend school. Poverty, an inequitable society, and entrenched attitudes contribute to the prevalence of child labour. Local media reports state that juveniles detained with adult prisoners are forced into sexual servitude in return for protection. Tourist industry promoters, especially from North America, facilitate the sexual exploitation of children. Tours are marketed overseas with the understanding that boys and girls can be found as sex partners. Some individuals come to the country to «adopt» children but actually intend to use the children in the production of pornography or related worst forms of
child labour. Media research concludes that as many as 30,000 children and minors are involved in the sex industry. The Ministry of Labour, with ILO/IPEC and other international labour rights organisations, is implementing programmes to combat child labour. Several church-run shelters provide refuge to children who escape prostitution. The government does not assist trafficking victims with shelter, or provide legal, medical or psychological services. Child labour is common in the agricultural sector, and in clandestine ‘cottage’ factories, where young children often work in poor or dangerous environments. Homeless children are frequently at the mercy of adults called Palomas who collect these children into gangs and put them to work begging and selling fruit, flowers, and other goods on the street.

**TRADE UNION RIGHTS:** Organised labour represents about 10% of the work force. Only a minority of companies has bargaining agreements. The ILO considers the requirements for collective bargaining rights to be excessive and found that in many cases they could impede collective bargaining. There have been reports of employer intimidation of union representatives. The Labour Code established a system of courts for dealing with disputes, but these courts have not been effective in enforcing the law.

**El member organisation / Membership:**
- Asociación Dominicana de Profesores (ADP) / 26,000
- Federación y Corriente Profesoral “Salomé Ureña” (FCP) / 15,000

The population estimate does not include approximately one million undocumented Haitian residents.
EDUCATION RIGHTS: In principle, education is free and compulsory for all children between the ages of six and 14. And in principle, under the Constitution, 30% of the public budget should be spent on education, but, in fact, the government devotes less than half that amount to the education sector. Prior to an acute social, economic and political crisis that began in 1999, 62.5% of Ecuadorians lived in poverty, 15% of whom were indigent. By 2001, according to a UN Development Programme report, 71 percent of the population lived in poverty, 30% of whom were indigent. During the crisis period it is estimated that 800 000 citizens emigrated, including teachers. These are some of the factors that have contributed to Ecuador’s failure to respond adequately to the educational needs of its children. Although the government has introduced a number of incentive schemes to keep children in school, these are restricted to urban areas. Many rural areas do not have schools. In February 2003, following a strike by Ecuadorian teachers, the National Congress approved an allocation of $165 million for the education sector. In December 2003 the funds had not been transferred to education.

GENDER PARITY: By 2000, girls were attaining primary and secondary education at the same rate as boys.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: A new law, signed by the President in December 2002, raised the minimum working age from age 14 to 15, for all types of labour. The law increased the penalties for illegal child labour. Although the country continues to recover from the 1999 crisis there has been little reduction in child labour. A 2001 study reported 455 000 children under the age of 15 are working. In rural areas, children help out on family subsistence farms or work as agricultural labourers. In the city, many children under 14 years of age work in family-owned businesses, shining shoes, collecting and recycling garbage, or as street peddlers. It is common to see children as young as five or six years of age selling newspapers or candy on the streets to support themselves or to augment the family income. There are instances in urban areas of children being sexually exploited. There are at least 20 NGOs promoting child welfare, and there are some programmes assisting street children.

TRADE UNION RIGHTS: Public sector employees in non-revenue producing entities are not free to form trade unions. However, most public employees maintain membership in some labour organisation. The majority of public sector employees are also prevented from exercising collective bargaining rights. While teachers can bargain at the national level, legislation prohibits them from negotiating locally or at the work place, although in reality they do. Public workers, including education workers, do not have the right to strike. The law includes a provision that striking public sector workers are liable to sentences of two to five years in prison. However, ‘illegal’ strikes occur frequently. As a result of the
non-payment of approved funds intended for improvements in education and salary adjustments for teachers, parents, students and teachers from 20 provinces marched towards the capital, Quito, in December 2003. They were forcibly stopped before entering the city: several marchers were injured and others detained. Warrants were issued for the union leaders. On 16 December 2003, the union announced that 500 people would begin a hunger strike to get the funds for education.

**El member organisation / Membership:**
Fedexación Ecuatoriana de Trabajadores de la Educación y la Cultura (FETEC) / 6 200
EDUCATION RIGHTS: Compulsory free education is guaranteed by the Constitution for nine years, usually from age 6 to 15. However, some 400,000 children with foreign fathers are not entitled to attend public schools or state universities. The number of children enrolled in early childhood programmes increased substantially during the last decade of the 20th century. Primary school graduates may attend either a general intermediate school, which prepares them for a secondary education, or a technical intermediate school specialising in industrial and agricultural subjects. The secondary school system is similarly divided. General schools have curricula designed to prepare students for a university education, while technical schools provide trades training. The Education For All (EFA) report states that teacher salaries have increased and that both primary and secondary teachers-in-training must enrol in university degree courses. The government has made a large investment in providing schools with computers and multimedia equipment. Egyptian university education is widely respected in the Arab world. Al-Azhar, founded 972, is the world’s oldest university.

GENDER PARITY: The government treats boys and girls equally at all levels of education but girls, particularly in rural areas, complete fewer years of schooling. In some small villages, single-sex schools have been opened to encourage families to keep their daughters in school for longer periods. The most recent reliable data show that less than 50% of adult women are literate, compared with over 70% of adult men. In the public sector the law stipulates equal pay for work of equal value. The government is committed to eradicating female genital mutilation (FGM) and has made it illegal. FGM has been added as a topic to the curriculum of the school system and nation-wide education programmes have been sponsored. FGM is traditionally practised by both Christian and Muslim communities.

ACADEMIC FREEDOM: The government does not directly restrict academic freedom. Faculty deans are not elected by their peers, but are appointed by university presidents who are state appointees. The government justifies the measure as a means to curtail extremist Islamist influence on campus. State censors occasionally ban textbooks and other publications.

CHILD LABOUR: Child labour is widespread. The government is committed to eradicating the problem and works with UNICEF, the ILO, international and domestic NGOs, and Egyptian labour unions to combat child labour. Penalties for breaches of child labour laws have been increased. The minimum age for employment is 14 in non-agricultural work. Provincial governors, with the approval of the Minister of Agriculture, can authorise seasonal work for children aged 12 to 14, provided that their duties are not hazardous and do not interfere with schooling. School opening may be delayed pending the end of the crop season. It is prohibited for children to work for more than six hours a day. Pre-employment training for children under the age of 12 is prohibited. Although education is compulsory for nine years, approximately 1.7 million children aged six to 15 are working. The law is adequately enforced in the public sector but not in the pri-
vate or informal sectors, where the majority of child labour takes place.

**TRADE UNION RIGHTS:** Most union members, about 25% of the total work force, are employed in the public sector. All 23 trade unions are required to belong to the Egyptian Trade Union Federation. The ILO has stated that the rule infringes freedom of association. Collective bargaining is not adequately protected and is limited because the government sets wages, benefits and job classifications in the public sector. The government considers strike action a form of public disturbance and therefore illegal under an emergency decree dating from 1981. The Decree has been renewed regularly, most recently in February 2003. Notwithstanding the decree, 12 strikes occurred in 2002, mainly over issues of wage cuts and dismissals and mainly in the public sector.

**EI member organisation / Membership:**
General Trade Union of Education and Scientific Research (GTUESR) / 50 000
EDUCATION RIGHTS: Education is compulsory up to grade 9 or age 14. Although under the law education is free at both primary and secondary levels, some schools charge fees to cover budget shortfalls. As a result of this illegal practice some children from the poorest families are deprived of their right to an education. In some rural areas children receive no formal schooling and only seven percent attend school beyond the 6th grade. Traditionally, many rural landowners favoured an uneducated rural population on the grounds that better educated workers would expect better wages and conditions and lobby the government for land reforms. In urban areas, according to the Ministry of Education, 14% of children aged between seven and 11 years and 32% aged between 12 and 14 are not in school. January 2002 marked the 10th anniversary of the Peace Accords which brought an end to the armed conflict in El Salvador. Children whose parents were on opposing sides of the conflict tend to reflect their family’s allegiance at school and in the classroom. As a result some students have been murdered and some school facilities have been vandalised. EI affiliate, ANDES 21 de Junio, co-operates with several NGOs in combating violent behaviour at school. Ten percent of the population identifies as indigenous peoples. They have been almost wholly assimilated into the dominant Hispanic culture. The Constitution states that native languages are part of the national heritage. They are, however, all but dormant.

GENDER PARITY: A World Bank project aims at promoting gender equality in education. Adult female literacy lags behind male literacy by about six percent. Female students account for approximately 55% of enrolments at tertiary institutions. Women are underrepresented in senior positions, earn significantly less on average than men, and face discrimination in hiring, including mandatory pregnancy testing on pain of dismissal.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The Constitution prohibits the employment of children under the age of 14. However, official statistics for 2001 reveal that more than 75,000 children between the ages of five and 13 are in work. Children may obtain permission to work where such employment is considered indispensable. This is most often the case with children of rural families who traditionally work during planting and harvesting seasons. The government and an autonomous entity, the Social and Political Institute for Women (ISPM), work with UNICEF to improve and promote children’s rights. In conjunction with local NGOs, the government also participates in the ILO/IPEC action programmes, targeting child labour. The programme is directed particularly at the coffee and sugar sectors, and clandestine factories producing fireworks. Child labourers working as street vendors in urban areas are vulnerable to sexual exploitation and there is strong evidence of a number of children being forced into prostitution. Between 50 and 65 percent of prostitutes are minors. The Criminal Code specifies lengthy prison sentences for individuals convicted of sexually exploiting children. Student delinquency occurs not only at schools and colleges but also on streets of San Salvador and other urban centres. The police
have a duty to pick up students who are out of school unsupervised during school hours and deliver them to the Salvadorian Institute for the Full Development of Children and Adolescents (ISNA). ISNA’s brief is to provide psychological counselling before returning them to parental supervision. An NGO study estimated that 1000 children live on their own in the streets, 42% of whom are under the age of five. Trafficking in children occurs. The government does not provide assistance to its repatriated citizens who are victims of trafficking, nor does it support the NGOs that assist them.

**TRADE UNION RIGHTS:** Government workers may not form unions or go on strike. They are allowed to form professional and employee associations and these groups take on the same responsibilities as unions. In practice, the associations bargain collectively and go on strike. Disputes are settled by mandatory arbitration. El Salvador has ratified neither ILO Convention 87 on Freedom of Association nor ILO Convention 98 on the Right to Organise and Collective Bargaining. By law, only private sector workers and some employees of autonomous public agencies have the right to form unions. In the export processing zones, flagrant and high profile cases of violations of trade union rights have been brought to world attention. Violations of rights have also continued in the public sector in recent years, several of which have been the subject of investigations by the ILO Committee on Freedom of Association.

**El member organisation / Membership:**
Asociación Nacional de Educadores Salvadoreños [21 DE JUNIO, ANDES] / 5000
Sindicato Gremial de Maestros de El Salvador [SIMES] / 3100
EDUCATION RIGHTS: Education to the 7th grade is compulsory and free but only 38% of children attend school. Education is difficult to access at all levels partly because of a shortage of schools and teachers. The internal displacement of large numbers of the civilian population during fighting with Ethiopia in the “2nd war” (1999-2001) produced an acute humanitarian crisis and seriously curtailed the right of Eritrean children to an education. The reintegration of hundreds of thousands of Eritrean refugees and DPs into the society has been an enormous burden on resources, especially education and health. Approximately 75% of the population are functionally illiterate.

GENDER PARITY: Only 16% of students enrolled in higher education are female. Independence gave women an equal right in law to education, equal pay for work of equal value, and legal sanctions against domestic violence. Partly these developments were rewards for the enormous contribution and sacrifice women made to the struggle for independence. However, Eritrea is a conservative patriarchal society and generally women do not enjoy a social status equal to men. The law after independence was a framework that did not reflect the conservatism of the culture. The status of women since independence has barely changed for the better. Ingrained cultural attitudes remain. Men retain privileged access to education, employment, and control the economic resources. Disparity is universal but more obvious in rural areas. Female genital mutilation (FGM) is widely practiced by all major religious and ethnic groups. Government efforts to discourage the practice are well short of a prohibition and their policy of discouragement has fallen on deaf ears.

ACADEMIC FREEDOM: The Government claims there are no restrictions on academic freedom. The University of Asmara refuses to grant diplomas to its graduates unless they fully complete their national service obligations. The Government places tight controls on students who wanted to study abroad. Many are unable to obtain exit visas or are prevented from leaving the airport despite having proper documentation. In addition, new graduates occasionally are pressured to work for government entities and two university students died during a summer work programme in 2001. Student protests by the Asmara Students Association led to the arrest and detention of the student union president until he managed to escape.

CHILD LABOUR: The law criminalises child prostitution, child pornography, and the sexual exploitation of children. The legal minimum age for employment is 18 years, although apprentices may be hired at age 14. The law prohibits apprentices under 18 years of age from performing certain dangerous or unhealthy labour, such as working in mines or sewers. While there is a responsible body enforcing the law there is no inspection system monitoring compliance. It is common for rural children who do not attend classes to work on family farms, fetching firewood and water, and herding livestock among other activities. The ILO reports that over 38% of children between the ages of 10 and 14 are in the work force. In urban areas, some children work as street vendors selling cigarettes, newspapers, or chewing
gum. Children also work as child-minders, traders, and in small-scale manufacturing.

**TRADE UNION RIGHTS:** Some government policies restrict free association or prevent the formation of unions, including within the civil service. Under a new labour code, ratified in November 2001, a tripartite of workers, employers, and Ministry of Labor officials is required to resolve differences. Under the labour law in force, disputes were taken to court. During 2001 the Confederation of Eritrean Workers brought 71 cases before the courts. By August that year 20 cases were settled through agreements between the parties, 11 had been settled through the Ministry of Labour, and 3 were adjudicated. There were no strikes reported during the year.

EI member organisation / Membership:
Teachers’ Association of Eritrea (TAE) / 6000

Eritrea is a one-party state. It gained independence in 1993 following a 30-year civil war and an internationally monitored referendum. Eritreans voted overwhelmingly for independence from Ethiopia.
EDUCATION RIGHTS: Education is compulsory for nine years or until basic education is acquired (age limit 17). It is free at public schools. Three years of secondary education are voluntary and also free at public schools. Responsibilities for public education are divided between government and municipalities. The State budget covers teachers’ salaries and administrative costs, while school maintenance costs are covered by the local municipality budget. Government subsidises school meals. In contrast to the past, current Estonian legislature supports the integration of children with disabilities into public schools. There is a recognised problem of «street children», mainly in big cities. It is estimated that about 1,3% of compulsory education age children are not attending school without a good reason. Half the eligible age group is enrolled in early childhood programmes. 75,6% of students complete secondary schools. All secondary graduates are entitled to sit for state examination and may continue their studies at university. There are 49 higher education institutions, including 6 public universities, 5 private universities and four state higher schools or professional schools. About 25% of the adult population is enrolled in some form of continuing education. The legislation guarantees the right to instruction in Estonian. Non-ethnic Estonians, mainly Russians, make up 37% of the school enrolment. Out of a total of 636 general education schools, Russian is the language of instruction in 89 public schools, and bilingual Estonian-Russian in 21 public schools. Most are located in Tallinn and the north-eastern urban areas of the country and are not well integrated in Estonian society. Adequate knowledge of Estonian, which is the official language and enables further studies and to work in the country, is an issue. The government policy is to ensure that by 2007 all pupils from non-Estonian language schools receive adequate Estonian language skills to enable them to continue their studies in Estonian.

GENDER PARITY: Girls and boys attend primary and secondary school in comparable numbers. 60% of students enrolled at university and other institutes of higher learning are female. Trafficking of women to other countries is a concern. NGOs have initiated anti-trafficking campaigns to provide information. Women who apply for jobs in other countries are sometimes the victims of prostitution rings posing as legitimate enterprises. The penal Code criminalises trafficking of women.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Estonian law conforms to essential ingredients of the UN CRC. The statutory minimum for employment is 16 years of age. Children 13 to 15 years of age may work with written permission of a parent or guardian and the local labour inspector, if the work is deemed not dangerous, immoral, or does not interfere with studies. It is estimated that 1.3% of children in the compulsory school-age group are not in school without good reason. There are instances of families forcing their children to engage in peddling or begging.
TRADE UNION RIGHTS: The Constitution provides private and public sector workers with the right to form and join a union or an employee association. Workers have the right to bargain collectively and the right to strike. Collective bargaining is not fully developed. The Labour Code prohibits anti-union discrimination.

EI member organisation / Membership:
Estonian Educational Personalities Trade Union (EEPU) / 12 500
Federation of the Estonian Universities (UNIVERSITAS) / 3 000
EDUCATION RIGHTS: Education is free and compulsory for six years, until the age of 13, but there are insufficient schools or teachers to accommodate all of Ethiopia’s school-age children. Nationwide the total enrolment of school-age children is only 61.6%. During 2002, approximately 40% of primary and 67% of secondary schools operated in two shifts to maximise the utilisation of classrooms. Most urban schools operated evening classes to provide an opportunity for working children to attend classes. Government reports show that 31% of children who start school do not reach the 2nd grade and only 28% complete the 8th grade. The government widened the implementation of its education policy compressing 12 years into 10 years of general education for students not planning to attend college. Students going to university study for 2 additional years in a pre-university program (grades 11-12). Students in grade 12 continue to take the Ethiopian School Leaving Certificate Exam (ESLCE). Grade 10 students are also required to take the ESLCE. Higher learning institutions only have space for a small percentage of graduates. The law mandates equal rights for persons with disabilities; however, the government had no established mechanisms to enforce these rights. Police killed and injured numerous students while forcibly dispersing demonstrations during 2002. Groups of teachers were arrested in connection with the demonstrations, which mainly concerned changes to education policy and rising food prices. The teachers were accused of inciting students to riot and spreading anti-government propaganda. Thirty seven teachers were also arrested and 12 others summoned by the police and warned about their participation in a conference sponsored by ETA, AOb (Netherlands) and NUT (United Kingdom) on Education for All and HIV/AIDS Prevention through Education. Police tried to stop the conference despite the fact that foreign embassy personnel were present.

GENDER PARITY: It is difficult to estimate literacy rates accurately due to a lack of government statistics. About 20% of adult females are considered literate, which is about half the rate for adult males. The Education for All Global Monitoring Report 2003 indicates that nationwide the total enrolment of primary school-age children was 64.4%. Only 76.4% of male primary school-age children and 59.6% of female primary school-age children attended school. Girls attended in lower numbers than boys, except in Addis Ababa, where their attendance was slightly higher. Only 20.4% of boys and 13.7% of girls attend general secondary school (9th and 10th grades). In the capital, Addis Ababa, female school attendance is slightly over 50%. In provincial areas, young girls are the victims of a variety of harmful traditional practices including milk-teeth extraction, uvulectomy, arranged marriages (as early as age seven), and marriage by abduction. The majority of Ethiopian girls are subjected to some form of female genital mutilation (FGM). The maternal mortality rate is extremely high partly because of food taboos for pregnant women, poverty, early marriage, and birth complications related to FGM. The government discourages FGM through education in public schools and plans to pass legislation prohibiting the practice. The Civil and Penal Codes are under review by the Ministry of Justice. They contain discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over 5 years old. A husband had no obligation to provide financial assistance to his family and as a result,
women and children sometimes are abandoned.

**ACADEMIC FREEDOM:** The government restricts academic freedom. Uniformed police are present on campuses and plainclothes security officers mix with the students. Teachers are not permitted to deviate from official lesson plans. According to one survey conducted of 280 public universities and secondary schools throughout the country, nearly 90% of school directors and vice-directors were affiliated to the ruling party. Professors can research any field within their discipline but they cannot espouse political sentiments. In March 2002, those students involved in the April 2001 riots, except for 14 Oromo students, were allowed to return to Addis Ababa University (AAU), but students were forbidden to form associations on the basis of their ethnicity and many student leader activists fled the country after the riots. In July 2002, Prime Minister Meles met with university professors in an effort to inform them of government policies and to discuss democratisation and educational issues. Participants claimed that the Prime Minister did not address many of their concerns. While in theory student governments were permitted, many students refrain from involvement in any on-campus activity that could be construed as political by the government.

**CHILD LABOUR:** Under the Labour Law, the minimum age for wage or salary employment is 14 years and minors aged 14 to 18 years are covered by special provisions. Children may not work more than seven hours per day; work between 10 p.m. and 6 a.m.; work on public holidays or rest days; or perform overtime work. The authorities make some effort to enforce these regulations within the formal industrial sector but child labour is a pervasive problem. Large numbers of children of all ages harvest crops in the countryside. Studies show that child labourers working on commercial plantations are grossly exploited and expected to work 12 hours a day. Involuntary servitude and slavery were officially abolished in 1942, but there are numerous anecdotal accounts of young people, especially girls, being sent by their families into involuntary servitude in Saudi Arabia and other Arabian Peninsula countries to work as house servants and nannies. The exploitation of children for sexual purposes occurs throughout the country. Girl prostitutes, as young as 11 years-of-age, are kept ignorant of the risks of HIV/AIDS. There are an estimated 150 000 street children in Addis Ababa and other urban areas, and their numbers are growing. Despite evidence to the contrary, the government maintains that most economically active children are engaged in family-based, non-exploitative child work that is part of the socialisation process and that there is no child labour problem.

**TRADE UNION RIGHTS:** The Constitution provides most workers with the right to form and join unions; however, the law specifically excludes teachers from organising a union. In August 1998, the government sealed EI affiliate ETAs national and regional offices, detained its leaders and transferred the assets over to a puppet faction supportive of the government’s educational policies. ETA President, Dr Taye Woldesmiate was held for three years before being sentenced, after an unfair trial, to 15 years imprisonment for conspiracy to overthrow the state. He spent six years in prison until he was released in May 2002, thanks to significant international pressure, which included many EI member organisations. In November 2003 ETA won the legitimisation of its existence at the Federal High Court. However, in January 2004, to the dismay of the international community, the situation in Ethiopia once again deteriorated. The government-supported ETA appealed the court decision on 19 January and 4 February 2004 and the Court ordered that ETA offices be resealed. EI General Secretary immediately addressed a letter to the Prime Minister’s Office and to the Ministers of Justice and Education.

EI member organisation / Membership: Ethiopian Teachers’ Association (ETA) / 120 000
EDUCATION RIGHTS: The government devoted 19% of the national budget to education in 2002. School attendance is compulsory until age 15. In 2000, there were 142,913 primary pupils with 5,082 teachers, and 66,905 secondary students with 3,696 teachers. The government pays incentive allowances to encourage teachers to serve in more remote areas of the widely scattered archipelago - nine large islands and one hundred small inhabited islets and atolls. The main campus of the University of the South Pacific is situated at Laucala, near the capital, Suva. The University serves Fiji and 11 other Pacific island nations. The other campuses are in Apia, Samoa and Port Vila, Vanuatu. Education programmes, supported by a sophisticated satellite network, are delivered long distance to almost half the student body. The Fiji Institute of Technology and a number of vocational schools are located in the capital. There are teacher training colleges in Suva and the city of Lautoka.

GENDER PARITY: Adult women are twice as likely to be illiterate as adult men, but basic education has been compulsory only since 1999 and illiteracy is in decline for both women and men. The Constitution specifies gender equality. Girls and boys attend school in approximately equal numbers although regional differences favour boys.

ACADEMIC FREEDOM: Reports indicate academic freedom is generally respected. However, although the University of the South Pacific represents 12 Pacific Ocean countries, faculty members are cautious with regard to Fijian domestic political issues and self-censorship applies.

CHILD LABOUR: The law prohibits employment of children under 12 in any capacity and under the age of 15 they may only be employed outside school hours in family enterprises. Estimates based on school attendance and dropout rates suggest that children are engaged in labour, mostly in the informal sector, in family businesses and on family farms. Prostitution is illegal in Fiji. It is, however, a problem for the Republic’s growing number of homeless children, both indigenous and Indo-Fijian. The ratification of Convention 182 in April 2002 is a positive indication of a government commitment to combating the worst forms of child labour.

TRADE UNION RIGHTS: The Constitution and the law provide the right of workers to form and join unions and to organise and bargain collectively. There is a right to strike. Restrictions can be applied to the public service if it is deemed to be in the national interest. EI affiliates, FTA and FTU, have acted together promoting peace and reconciliation among teachers, children and local communities.
Tensions remain between Indigenous Melanesian Fijians and Indo-Fijians, descendants of contract labourers brought to the islands under British colonial rule in the 19th Century. Constitutional changes in the 1990s were designed to stabilise the society. The changes emphasised the uniqueness of the culture, values and beliefs of the indigenous majority. However, in May 2000, an armed group, purporting to represent Melanesian Fijians, stormed parliament and took the elected Prime Minister and members of his government hostage. They demanded the abrogation of the Constitution. The Fiji Military eventually routed the perpetrators. A serious consequence of the political turmoil has been a continuing loss through emigration of educated and professional citizens, both Indo-Fijians and indigenous Fijians.
EDUCATION RIGHTS: Free and compulsory education consists of six years of primary schooling and three years of secondary schooling. Children normally start school at age seven because of the distances some pupils have to travel in sparsely settled areas. In 2001, 97.4% of six-year olds participated in pre-school education and 595 727 students were accommodated in 3 953 schools for the basic comprehensive nine year programme. Swedish-speaking Finns, some six percent of the total student enrolment, are entitled to receive schooling in their mother tongue. Children are obliged to stay at school until age 16, but it is common for students to remain to age 18. They either attend three years of upper secondary school or vocational school programmes. A foreign language is available from the third grade and compulsory at lower secondary school. Nearly 100% of Finnish students take English as a second language. Since the late 1970s primary and secondary school teachers have been obliged to have a university degree. Two art academies and eight of Finland’s universities provide teacher education. There are several Swedish language institutions of higher learning, and a number of Swedish professorial chairs at the University of Helsinki. The indigenous Sami constitute about 0.1% of the population. Sami customs, culture and traditional way of life are constitutionally protected and they may elect to be taught at school in their own language. Concerted efforts are being made to raise the educational level of the small Roma population through vocational training schemes. Education at Finnish universities is free. There are ten universities and several art academies. Intense competition for admission to institutions of higher education has been relieved by the expansion and upgrading of the country’s 34 polytechnics. In 2002, 170 000 students were enrolled at university and 126 000 at the polytechnic institutions. Approximately one million adults receive some kind of instruction each year at Finland’s extensive adult education programmes, consisting of folk high schools, folk academies, and workers’ institutes. Adult education schools are operated privately or by municipalities or provinces and receive state subsidies.

GENDER PARITY: Girls and boys are treated equally by the education system. Women make up more than half the country’s physicians and, in 2001, 65% of medical school graduates were women. Women are well represented at all levels of government. The law requires a minimum of 40% membership from each sex on all state committees, commissions, and appointed municipal bodies. The Office of the Ombudsman for Equality and the Gender Equality Unit operate within the Ministry of Social Affairs and Health monitoring compliance with the Equality Act. The Gender Equality Unit has responsibility to prepare and develop the Government’s equality policy in co-operation with the other ministries, to help mainstream gender equality, and to handle tasks related to the European Union’s (EU) equality law and policy. The Government’s Council for Equality co-ordinates and sponsors legislation to meet the needs of women as workers, mothers, widows, or retirees.

ACADEMIC FREEDOM: The government respects academic freedom. Tenure protects faculty members from arbitrary dismissal. The autonomy of the University of Helsinki is specifically guaranteed by the 1919 Constitution.
**CHILD LABOUR:** Youths under 16 years of age cannot work more than six hours a day or at night. Child labour regulations are strictly enforced and complaints of exploitation are rare.

**TRADE UNION RIGHTS:** Workers, including public sector employees, are entitled to form and join unions, bargain collectively, and to strike. About 79% of the work force is unionised. Within the education sector, 94% of teachers are employed as municipal civil servants. Upper secondary school teachers are local government officials.

**EI member organisation / Membership:**
- Finnish Union of University Professors (FUUP) / 1 900
- Finnish Union of University Researchers and Teachers (FUURT) / 6 165
- Opetusalan Ammattijärjestö (OAJ) / 89 760
EDUCATION RIGHTS: Public education is free and compulsory until age 16 and well funded. The State provides free textbooks at primary and secondary level. Public education is non-denominational but the state subsidises private schools, including those that are church affiliated. Between the ages of two years and five years children may attend a well-developed network of early childhood education at the écoles maternelles or classes enfantines. There were 18 558 pre-primary institutions in 2000. Primary education is for children between the ages of six and 11. Of the 3 839 770 pupils enrolled in primary schools in 2000, 85% attended public schools. Secondary education is first given in the collèges to children from 11 to 15. Further secondary education is given in general, professional or technical lycées, leading to the national baccalauréat examination. A number of regional languages, including Breton, Basque, Catalan, and Corsican are now available in the public system. In the Alsace, Lorraine, and Moselle départements bilingual classes are available. This apparent anomaly reflects the period 1870-1918, when those départements were annexed to Germany. French pupils are taught a second language from the age of nine. With a view to protecting the principle of secularism, and particularly the right of women not to wear the headscarf, a law banning jewellery signifying religious affiliation, and supported by the overwhelming majority of teachers, was passed at the beginning of 2004. Some sections of the Muslim community, in particular the most fundamentalist, have protested against the banning of the hajib (headscarf) as a violation of the right to religious freedom.

Several of the large universities have been restructured into smaller units and the number of French universities increased from 23 to 86. There are also three national polytechnic institutions attached to the universities, 101 university institutes of technology, 28 teacher training colleges, 240 state engineering schools, military academies, schools of art and architecture, national conservatoires, and the grandes écoles and the écoles normales supérieures. There are a number of Catholic universities.

GENDER PARITY: Male and female students are enrolled in equal numbers until tertiary level. 55% of university enrolments are women, and the figure rises to 70% in literary and language subjects. Women are protected by legislation guaranteeing equality. However, equal pay for work of equal value has still not been achieved.

ACADEMIC FREEDOM: Academic freedom in France is being undermined through a challenge to statuses, an increase in precarious employment, and a shift towards increasingly strict supervision at all levels.

CHILD LABOUR: Children under the age of 16 may not be employed excepting for those enrolled in certain apprenticeship programmes and in the entertainment industry. Those aged under 18 may not be employed in arduous work or any work between 10 p.m. and 5 a.m. The laws prohibiting child labour are effectively enforced by labour inspectors. NGOs estimate that there are between 3 000 and 8 000 child prostitutes in Metropolitan France. In March 2002, new leg-
islation that targets clients of child prostitutes took effect. Solicitation of sex with a minor in exchange for money is a crime punishable by up to 10 years in prison and a maximum fine of 200,000. Several law enforcement agencies have a particular responsibility combating trafficking and dismantling criminal trafficking cartels. Organised crime traffics girls as young as 10 years. The government works closely with other countries and NGOs to combat this worst form of child labour.

**TRADE UNION RIGHTS:** The Constitution's provisions for trade union rights extend to the country's overseas territories and departments. Although only about 10% of the work force is unionised, trade unions exercise significant economic and political influence. All employees may vote in professional elections for the different unions in each sector. The level of unionisation in the education sector, despite having also declined since the 1970s, remains substantially higher, at 30%, than the national average. Minimum wages are established by government decree, but pay scales are determined by collective bargaining. Over 90% of the private sector work force is covered by collective bargaining agreements. In enterprises with more than 50 employees work councils exist. Representatives are elected to the councils every two years. Union and non-union members are eligible for election to the councils. Workers, including civil servants, are free to strike. 25% of all salaried employees work for the government. In October 2002, 50,000 members of the education sector demonstrated to protest the 2003 budget. Large demonstrations, led by striking workers and supported by a large percentage of the population, have protested proposed layoffs and reform of the retirement system.

**El member organisation / Membership:**
- Fédération Formation et Enseignement Privés (FEPCFDT) / 9 084
- Fédération Nationale de l’Enseignement, de la Culture et de la Formation Professionnelle Force Ouvrière (FNCEFPO) / 5 100
- Fédération des Syndicats Généraux de l’Éducation Nationale et de la Recherche (SGEN-CFDT) / 32 500
- Syndicat National des Chercheurs Scientifiques (SNCS) / 1 395
- Syndicat National de l’Éducation Physique (SNIEP-FSU) / 5 000
- Syndicat National des Enseignements de Second Degré (SNES-FSU) / 76 000
- Syndicat National de l’Enseignement Technique (SNETAA) / 10 547
- Syndicat National de l’Enseignement Technique Agricole Public (SNETAP-FSU) / 2 500
- Syndicat National Unitaire des Instituteurs, Professeurs des Ecoles et PEGC (SNUipp-FSU) / 35 000
- Union Nationale des Syndicats Autonomes (UNSA) / 123 729

(footnote only valid for metropolitan France)


EDUCATION RIGHTS: Gabon is one of the more prosperous Sub-Saharan African countries. Schooling is officially compulsory for all Gabonese children between the ages of six and 16. Fewer than half of secondary school-age children attend school. Previous editions of the EI Barometer reported that the government was committed to building schools and to paying adequate salaries to teachers. Parents are required to pay for books and other school supplies. More recently, however, despite an improvement in primary school enrolment, the upkeep of schools and payment of teachers has declined. On a more positive note, the large community of non-citizen children whose parents are immigrant workers are now encouraged to attend public schools. Gabon has technical institutions and teachers colleges, as well as two universities.

GENDER PARITY: According to law, female Gabonese citizens have rights of equal access to education. Approximately 33% of students enrolled in higher education are women.

ACADEMIC FREEDOM: The government generally respects academic freedom.

CHILD LABOUR: Children below the age of 16 may not work without the express consent of the Ministries of Labour, Education, and Public Health. These ministries rigorously enforce this law with respect to children and there are few Gabonese under the age of 18 working in the formal sector. A significant number of children work in marketplaces or perform domestic duties. The government ratified ILO Convention 182 during 2002 and joined UNICEF and the ILO in a campaign to combat forced child labour and child trafficking. A 2001 ILO study concluded that at least 20,000 children between the ages of 10 and 14 years were working and not in school. During 2002, NGOs instigated the repatriation of a number of children who were the victims of trafficking. The government, the EU and an Italian NGO also set up a shelter for trafficking victims. The ratification of an agreement to stop child smuggling, signed by Gabon and three neighbouring countries, is expected to come into force in 2004.

TRADE UNION RIGHTS: The Constitution places no restrictions on the right of association and recognises the right of workers to form unions. Public sector employees may unionise and their right to strike is only limited if it is deemed to jeopardise public safety. Strikes are legal if they are held after an 8-day notice advising that outside arbitration has failed. The Labour Code provides for collective bargaining. Teachers, supported by students, at the two State-funded universities went on strike in November 2001 demanding salary increases and improved working conditions. The government responded by shutting down both universities. They remained closed throughout 2002.
EDUCATION RIGHTS: Free compulsory education for children aged 7 to 15 is entrenched in the Constitution but it remains a goal rather than a reality. A bare majority of the eligible age group goes to school. Secondary school education is very limited for both boys and girls, even in urban areas. Through the World Bank Fast Track Initiative Gambia received funding to help achieve Education For All in March 2003.

GENDER PARITY: About 60% of adult women are illiterate. Girls are much less likely to receive a primary or secondary education than boys, especially in rural areas. Early marriage, which can be as young as 12 years old, is one reason girls do not stay in school. Girls who do go to school are slightly more likely to complete basic education than boys. In 2002 the government introduced a programme to pay school fees for girls around the capital, Banjul, and there are plans to expand the programme to rural areas. About 80% of the female population have been subjected to female genital mutilation (FGM). The government supports health education programmes to discourage the practice.

ACADEMIC FREEDOM: The government does not restrict academic freedom.

CHILD LABOUR: Despite the fact that the statutory minimum age for work is 18 years, most children who attend school leave by age 14 and start work. Children as young as 10 years often work on family farms, as street vendors or as household domestic servants. Child labour protection does not extend to this group. The ILO estimated that in 2000 a third of children in the 10-14 age group were working. Tourism has created a demand for child prostitution. The government prosecutes vigorously those involved in child prostitution.

TRADE UNION RIGHTS: Prior to ratifying ILO fundamental Conventions in 2000 the Labour Act allowed workers, excepting the civil service, to organise, bargain collectively and to take strike action. It remains to be seen what actions the government will take with regard to the civil service so that Gambia is compliant with the Conventions. EI affiliate, GTU, is a respected and influential organisation in the country and has undertaken a number of extra-curricular training activities.
EDUCATION RIGHTS: Officially education is free at primary and secondary schools but education is seriously under-funded. Parents are expected to pay for books and school supplies and most parents are forced to make a contribution to teachers’ salaries in the form of tuition fees. This is an enormous financial burden on many families in a country where over half the population live below the poverty line and unemployment soared to 17% during 2002. Despite these facts most school-age children are enrolled at school although some fail to function because of inadequate facilities. Many schools lack libraries, or even blackboards. Others have no heating in winter. Teachers’ salaries are not paid regularly. The 2nd edition of the EI Barometer reported a teacher supply crisis. Because of the low wages, the profession is not attractive. The miserable pension awaiting retired teachers is another burning issue for teachers’ unions. Adding further to the problems facing the education sector are the hundreds of thousands of internally displaced persons (IDP) fleeing the unresolved ethnic and civil conflict in the regions of Abkhazia and South Ossetia. Many IDP children do not receive adequate schooling.

GENDER PARITY: Even through the current bleak economic climate, there is no evidence to suggest that girls are any more or less disadvantaged than boys in school attendance. Young women attend and graduate from university at the same rate as young men. Migration, especially to Western Europe, continues to be an attractive option for educated Georgian males and females. The Constitution provides for the equality of men and women; however, discrimination against women continues. Salaries for women continue to lag behind those of men.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment of children is 16 years. Generally the laws are well respected and enforced and with such a high rate of adult unemployment and poverty there is little reason to employ child labour in the formal sector. There are several thousand street children in Tbilisi and other urban centres due to the inability of orphanages and the government to provide support. Street children increasingly survive by turning to criminal activity, narcotics and prostitution.

TRADE UNION RIGHTS: The right to form and join trade unions is recognised in law, as is collective bargaining. A new version of the Labour Code is being worked out and the Georgian Trade Union Amalgamation (GTUA) is taking an active part in this process. The battle over the restitution of GTUA’s assets, as reported in the 2nd edition of the EI Barometer, has been resolved. GTUA’s building, confiscated in March 1992 and placed under the control of the Ministry of Defence was returned to the Amalgamation following protracted legal proceedings with a bogus Soviet-era official. Some workers, including teachers in the Imereti region complained of being threatened by employers on account of their

EI member organisation / Membership:
Educational Workers Trade Union of Georgia (EWTUG) / 90 075
Free Trade Union of Teachers of Georgia (SOLIDARITY) (FTUTG) / 3 207
EducatioN rights: Public education is free of charge through the university level and is compulsory from the age of 6 to 16. Financial assistance and other forms of support are available to families in cases of hardship. The 15 federated states (Landers) control education but a permanent federal commission has the task of ensuring there is a standard nationwide curriculum. Early childhood education is based on the kindergarten and may begin at age three. After four years of primary school [Grundschule] extensive tests largely determine a child’s subsequent schooling. Almost 50% of pupils go on to a Hauptschule for five years, which is followed by a three-year vocational training programme, including on-the-job experience. About 20% of children attend the Realschule where they take a six-year course emphasising commercial and business subjects. Some Realschule students continue to a technical college (Fachschule) preparing them, typically, for careers in middle management and the civil service. Students who wish to go to university attend the upper-secondary Gymnasium. After a nine-year programme they write the university Abitur examination. Although not eliminating the structure, the absolute rigidity of these types of schooling was relaxed in the 1970s. A growing number of schools offer all three programmes. There is some provision for mother-tongue schooling for Danish, Friesian and Serb communities. The Republic also considers the educational needs of the children of a large immigrant population whose parents and grandparents went to Germany to work at jobs German citizens did not want. In 2004, primarily as a result of Turkish immigration, Islam is the third largest religion in the country. In 2002 both the administrative Court of Baden-Württemburg and the Federal Administrative Court upheld a ban on Muslim teachers wearing headscarves (hijabs) in the classroom. Muslim students may wear a hijab. Most public schools offer Protestant and Catholic religious instruction and offer instruction in Judaism if enough students are interested. A non-religious ethics course is available for students who do not wish to participate in religious instruction. The issue of Islamic education in public schools continues to be controversial. The Islamic Federation now qualifies as a religious community and must be given the opportunity to provide religious instruction in Berlin schools. The government recognises the Sinti and Roma as an official ‘national minority’, but federal and state Interior Ministries resist including Romani among the languages protected under relevant EU statutes. The Basic Law prohibits discrimination against persons with disabilities. There are about 860 schools of continuing education for adults, such as the Volkshochschulen (people’s universities), and institutions providing extra-mural studies. They enrol approximately 5.2 million adults annually. 44% of secondary school graduates go on to some form of tertiary education. Easier access to university in recent years severely strained the resources of German universities and lecture theatres and libraries were overburdened. The Federal Republic’s response has been to create new universities and upgrade the status of other institutes to university rank. In 2000, Germany had approximately 100 universities and 200 institutions of equivalent status. Traditionally, it takes an average of seven years to complete a university diploma course. New legislation has now added shorter bachelors’ and masters’ degrees.
GENDER PARITY: Boys and girls have equal access to primary and secondary schools. However, males are more likely to graduate from university. The law entitles women to participate fully in the political life of the country and in 2002 women held seven out of the 15 federal cabinet positions. «Women and Occupation» government campaigns promote equality of women and men in the workforce. Increased vocational training for women, greater representation in political advisory councils, and the promotion of female entrepreneurs are part of regional projects earmarked for women. The government has also adopted a multiyear initiative designed to increase the number of women and girls who receive training in information technology (IT) and in media careers. The law provides for equal pay for work of equal value but in practice many employers categorize jobs held by women differently from those held by men thereby creating inequalities in pay. Union contracts identify categories of employment where participants are paid less than 100% of the wage of a skilled laborer covered by the same contract. Women are represented disproportionately in these lower-wage scale occupations.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: The law generally prohibits employment of children under the age of 15, with a few exceptions. Those aged 13 and 14 may do farm work for up to three hours per day or may deliver newspapers for up to two hours per day; those 13 to 14 years of age may take part in cultural performances, under controlled conditions. The Criminal code has increased penalties for the possession and distribution of child pornography. The sexual abuse of children by German citizens abroad is punishable even if the action is not illegal in the country where the abuse takes place. There is a serious problem in trafficking of underage girls for the purpose of forced prostitution. A federal Ministry heads an Interagency Working Group to combat this criminal activity and to aid the rehabilitation of its victims.

TRADE UNION RIGHTS: Public servants who have civil service status (which includes most teachers) cannot go on strike, irrespective of the function they exercise and the sector to which they belong. The ILO has repeatedly reminded the government since 1959 that this restriction is not in line with Convention 87, but without success. Similarly, teachers in the public service continue to be denied their right to collective bargaining. The ILO has repeatedly pointed out that it contravenes Convention 98. In May 2002, more than 100,000 workers organised a weeklong strike, demanding pay increases and more jobs. It was the country’s first large-scale strike in 7 years. This was followed by a construction industry strike in June 2002, the first since World War II.

EI member organisation / Membership:
Bundesverband der Lehrer an Beruflichen Schulen [BLBS] / 12,000
Gewerkschaft Erziehung und Wissenschaft [GEW] / 215,922
Verband Bildung und Erziehung [VBE] / 90,000
**EDUCATION RIGHTS:** Compulsory education consists of six years of primary school and three years of junior secondary school. UNICEF found that in 2001 only 77.6% of eligible children were enrolled. In 2002 the government spent between 2.5 and 3% of GNP on education. Approximately 60% of this allocation went towards providing basic education. Although in rural areas there is a shortage of schools and a shortage of teachers, most children have access to schooling. Non-enrolment, absenteeism and early dropout are often attributable to poverty. Schools charge fees and pupils are required to purchase uniforms and books. Formal education is either unaffordable for the poorest families or their children need to work to supplement the family income. Furthermore, monitoring school attendance is lax. 35% of children who completed compulsory education in 2000-01 advanced to upper secondary school where tuition fees and other costs continued to apply. Districts that provided some form of early childhood education also required parents to contribute to the costs. There is a shortage of teachers in rural areas and children have to travel long distances, usually on foot, to reach school. Teachers are said to withhold material during their regular lessons and then ask students to pay additional fees for after-hours ‘tutoring’ as a way to supplement their income.

**GENDER PARITY:** Female adult illiteracy is approximately 39% as compared to 21% for males. According to the Education For All (EFA) Monitoring Report, Ghana is at risk of not achieving gender parity in education by 2005. And although the government actively campaigns for girls’ education, their own estimate is that there has been a decrease in the percentage of girls attending school during the last ten years. Early marriage, early childbearing, social and economic pressures and poverty are considered contributory factors to the decrease. However, the majority of young women who graduate from secondary school continue their education to the tertiary level. In 2002, they made up 29% of students attending the country’s four state universities. Ghana’s ratification of Convention 182 has led to additional protections for girls and young women. Forced marriages are illegal and prostitution involving children is prohibited. A traditional form of ritual servitude involving young girls (Trokosi) has also been outlawed. The prohibitions have reduced but not eliminated exploitative practices. There are reports of some teachers sexually exploiting female students. NGOs have made some progress in educating the rural population to abandon female genital mutilation (FGM). The government has appointed a Minister to deal with equality issues, including the promotion of education of girls and women.

**ACADEMIC FREEDOM:** Reports do not provide any information of government restriction of academic freedom.

**CHILD LABOUR:** Fifteen is the minimum age for employment, and labour legislation prohibits night work and certain types of hazardous labour for those under 18 years. There are some 800,000 child labourers nationwide, mostly in the informal sector, and child trafficking is a problem. According to an ILO report, child labour in tourism is on the increase. Young children of school age often perform menial tasks during the day in the market or collect fares on local public transport.
buses. An ILO survey showed that 75% of children between the ages of 5 and 14 work within the context of a family enterprise. On Lake Volta, a high number of children are engaged in the fishing industry, a potentially hazardous occupation. Recent legislation reflects the government’s commitment to Convention 182 by providing additional child labour protection and increasing the penalties for violations. Enforcement of the law, however, is inadequate. Officials lack sufficient resources, the police require training and the legal profession, including the judiciary, need to be better informed. A number of initiatives are in place. Implementation of the ILO/IPEC programme began in 2001. The government called together employers, unions, media, international organisations and NGOs to develop a national plan of action aimed at eliminating the worst forms of child labour. EI’s affiliates GNAT and TEWU merged their projects for the rehabilitation and reintegration of school dropouts and EI and ILO/ACTRAV convened a workshop outlining strategies for the project to begin in 2002-03. The project attracted the support of the Ghana Trade Union Congress (TUC) and other unions.

TRADE UNION RIGHTS: The right of association is restricted. The Trade Union Ordinance confers broad powers on the government to refuse to register a trade union. In practice, this has not happened. The law recognises the right to strike, but the ICFIU states that strike procedures are so arduous and complex that there have been no legal strikes in Ghana since independence. There are numerous unsanctioned strikes. The Industrial Relations Act provides a framework for collective bargaining. The TUC represents 17 national unions, including TEWU, and is a member of the ICFIU. Civil servants have their own union.

*EI member organisation / Membership:*

Ghana National Association of Teachers (GNAT) / 125 000
Teachers’ and Educational Workers’ Union (TEWU) / 32 000
EDUCATION RIGHTS: A well-funded system provides compulsory, universal education from age six to 15. Education is free for Greek citizens to university level. A declining birth rate has led to teacher redundancies and unemployment. During 2002, the authorities considered allowing Greek Orthodox students to opt out of compulsory religious instruction at public primary and secondary schools and then dismissed the idea. A radical decision on religious issues, however, was brought down by the Council of State when they dismissed the Ministry of Education’s requirement that teacher job applicants reveal their religious beliefs. Some state-approved classroom textbooks reportedly make gratuitously offensive remarks about non-Orthodox faiths. Greek authorities assert there has been a distinct improvement in the literacy rate of the Roma community that numbers approximately 250,000. The 2nd edition of the EI Barometer reported only 20% were literate. The authorities also announced a substantial increase in Roma school enrolment during the last three years and a 75% decrease in the drop out rate. These impressive developments were attributed to a system of identity cards designed to permit itinerant Roma to change schools easily. The law permits the Ministry of Education to reserve a certain number of places each year at universities and technical institutes for Muslim students.

GENDER PARITY: A higher illiteracy rate for older women than older men reflects traditional Greek rural society. In 2004 boys and girls attended school in equal numbers and 56% of tertiary students were women. The law provides for equal pay for work of equal value, but official statistics show women earn nearly 25% less than similarly qualified men. Women also face discrimination when considered for promotion. One consequence of discrimination is that Greek women gravitate towards influential and respected professions where progress is based on merit and ability: law and medicine.

ACADEMIC FREEDOM: Reports do not indicate government restrictions of academic freedom.

CHILD LABOUR: With EU funding, better provision is available for high-risk children. Juvenile offenders, Roma children, children born into remote mountain and island communities, and children with disabilities have been the beneficiaries. The minimum age for employment in the industrial sector is 15, with higher limits for certain activities. The minimum age is 12 for employment in family businesses, including theatres, the cinema, in agriculture, food services and merchandising. Even this law is not well respected and often children under the age of 12 assist family members, at least part-time. There are 800,000 foreign residents in Greece. About 500,000 are from the Balkans. Generically they are known as Albanians. Street children who sell or offer services at city intersections on behalf of their family or for criminal gangs, including prostitution, tend to be classified as «Albanians» There are, however, no reliable statistics to support the classification, excepting that Balkan residents in Greece tend to be an impoverished sector.
TRADE UNION RIGHTS: The Constitution and legislation provide for freedom of association. All workers with the exception of the military have the right to form and join unions. There are certain restrictions on the right to strike, such as mandatory periods of notice. The right to organise and collective bargaining are respected in the private and public sectors. Unions are highly politicised and there are party-affiliated factions within the labour confederations; however, neither political parties nor the government control union operations. There are no restrictions on who may serve as a union official.

EI member organisation / Membership:
Greek Primary Teachers Federation (DOE) / 43 000
Federation of Secondary Teachers of Greece (OLME) / 32 000
EDUCATION RIGHTS: Education is free and compulsory for children from age six until age 16. There are 57 primary schools and 19 public secondary schools, but only a third of Grenadian children advance to secondary education. There are several post-secondary institutions and an extra-mural department of the University of the West Indies.

GENDER PARITY: Despite the fact that boys and girls have equal access to education, Grenada is listed as one of 31 countries that are unlikely to achieve gender parity in primary education by 2005. Women have access to political positions. In 2002, they filled two-thirds of the permanent secretarial posts in the country’s 15 ministries. Women frequently earn less than men performing the same work, but wage differences are less marked in more highly paid jobs. Parliament introduced legislation concerning domestic violence in 2001 and more cases are being reported.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Child labour is illegal and does not occur in the formal sector. The statutory minimum age for employment is 18 years. Inspectors from the Ministry of Labour enforce this provision in the formal sector by periodic checks. Enforcement efforts in the informal sector are not good. Some children work in the agricultural sector. The government has endorsed ILO Convention 182. By December 2003, it had not been ratified by Parliament. In 2002, Grenada’s economy showed the greatest growth in the Caribbean. Tourism, foreign and public investment, and agricultural development were contributing factors. However, Grenada has high unemployment and 32% of its population live below the poverty line. Grenada suffers from a rise in violent, drug-related crime, particularly among its increasingly disaffected youth.

TRADE UNION RIGHTS: Although employers are not legally obliged to recognise a union formed by their employees, they generally do so in practice. Union leaders play a significant role in the political process, and one labour leader serves in the Senate on behalf of the Grenada Trades Union Council. Workers in the private and public sectors are free to strike, once legal and procedural requirements are met. Workers are free to organise and to participate in collective bargaining.

EI member organisation / Membership:
Grenada Union of Teachers (GUT) / 1 500
GUATEMALA
Republic of Guatemala • Population: 13,314,079

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>43.3%</th>
<th>% GNP spent on education:</th>
<th>1.7%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>30.8%</td>
<td>Life expectancy at birth:</td>
<td>m: 64 - f: 69.66</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td>46%</td>
<td>School life expectancy [years]:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td>84%</td>
<td>% 2000 cohort reaching grade 5:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td>m: 34.9 - f: 30.4%</td>
<td>Tertiary students per 100,000:</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>38</td>
<td>% government expenditure on education:</td>
<td>11.4</td>
</tr>
</tbody>
</table>

Ratification of ILO conventions:

29  87  98  100  105  111  138  169  182

EDUCATION RIGHTS: In principle, education is free at all levels and primary education is compulsory for all children up to the age of 12, or to the 6th grade. The government does not devote sufficient resources to ensure adequate education for all its children. Some of the improvements to education services, cited from official sources in the 2nd edition of the EI Barometer, have either not been maintained or were simply a government «wish-list.» Less than half the population actually receives a primary education, and only 30% of children who begin primary school complete it. Very few resources are assigned to secondary education. Ninety percent of the country’s indigenous peoples, who represent over half the population, live in dire poverty. The government says it is committed to supplying bilingual education to 900,000 indigenous children aged between six and 12 years but Spanish is the language of instruction for 88 percent of the country’s teachers.

GENDER PARITY: According to a 2000-01 National Survey, 70% of adult women have never received formal education. The majority of indigenous women speak little Spanish and very few can read or write in any language. More than 50% of urban girls and 81% of rural girls drop out of school. Sixty-three percent of indigenous girls do not start school. An official plan for equal opportunity covering the period 2001-06 identifies access to health and education as critical areas of concern but, according to the 2003 Education For All (EFA) Monitoring Report, Guatemala is at risk of not achieving gender parity by 2005. The Constitution asserts the principle of equality between the sexes but in practice women face job discrimination and generally receive much lower pay than men; in some cases one quarter of the salary for the same work.

ACADEMIC FREEDOM: While reports do not indicate government restriction of academic freedom self-censorship may apply.

CHILD LABOUR: The Constitution bars employment of children under the age of 14 without written permission of the Ministry of Labour. UNICEF estimates that 34% of all children work. Child labour is a serious problem in the agricultural sector and in the informal economy: in particular in construction, family businesses, and stone quarrying. Eighty percent of work accidents involve minors who lack proper safety training. Thousands of children are employed in illegal cottage-based fireworks production. In July 2002, the ILO/IPEC programme opened a pilot facility for the safe production of fireworks without child labour. Tens of thousands of children work as domestic servants in conditions approximating modern slavery. An ILO investigation found that many child servants work between 13 and 16 hours a day, and suffer psychological mistreatment, including sexual abuse. An ILO 2002 report entitled «Child Labour in Garbage Dumps» concluded that the majority of children working in the dumps were under 13 years and not in school. The civil war created 200,000 orphans. Most orphans are without proper care and supervision. They are an especially vul-
vulnerable sub-culture. Generally, as child labourers, they receive no social benefits, social insurance, vacations, or severance pay, and are paid below the minimum rates. The average age of the country’s 6,500 street children is seven years. Their life expectancy is 30 years. There are 10,000 minors in street gangs. They exploit younger children and are themselves exploited by organised crime. Orphans, street children, and youth gangs are recruited into thievery or prostitution and drug rings. Reliable sources report that at least 15,000 boys and girls are prostitutes. Guatemala attracts visitors for the purposes of child «sex tourism» in increasing numbers. Trafficking in children is a problem - Guatemala is a source and a transit country for children trafficked for purposes of sexual exploitation. There are some indications of a government response to trafficking, despite lack of resources and endemic corruption. Victim protection programmes are non-existent. The Ministry of Labour, with NGO support, finalised a plan for the prevention and eradication of child labour that was approved by cabinet in 2001. In response to Guatemala’s ratification of ILO Convention 182 in late 2002, a national campaign to eliminate the worst forms of child labour was launched by the President. The plan and campaign, however, supersede a proposed Code offering protection to children’s physical and emotional needs, which was blocked by the Catholic Church on the grounds that it derogated parental rights and threatened the integrity of the family.

TRADING UNION RIGHTS: The government does not effectively enforce labour laws to protect workers who exercise their rights to freedom of association and the right to form and join trade unions. Labour reforms in 2001 had virtually no real impact on freedom of association. The reforms did repeal some of the complicated legal procedures that encumbered the right to strike. The right to organise and bargain collectively is hindered by the law and management’s widespread hostility to unionism. In 2003, the Committee on Freedom of Association of the ILO called upon the government to investigate reports of numerous acts of violence against trade unionists. During the first six months of 2003, EI’s General Secretary wrote to the President of Guatemala on three occasions in support of EI affiliates, CMG and STEG, and their demands for an increase in the education budget and in teacher salaries. EI reminded the President that teachers have the right to collective bargaining without facing any threat of sanctions, and that conflict can only be resolved through negotiations.

EI member organisation / Membership:
Colegio de Maestros de Guatemala [CMG] / 2,320
Sindicato de Trabajadores de la Educación de Guatemala [STEG] / 4,000

Guatemala suffered civil conflict for more than 30 years until the military and armed opposition agreed far-reaching Peace Accords in 1996. Political violence increased between 2001-2003, with threats, abductions, assassinations and violent robberies, directed against human rights organisations, campaigns for land and Indigenous rights, women’s groups, academics, students and the legal profession. Despite a stipulation in the Peace Accords, income-tax collection is minimal. Value-added tax has been introduced, which hits the poorest hardest.
EDUCATION RIGHTS: Education is free and officially compulsory for all children between the ages of 7 and 13. The government allocates a significant percentage of its national operating budget to education, but it is insufficient to meet the needs of its children and in 2002 the government failed to spend the allocated funds. Although its mineral wealth makes it potentially one of Africa’s richest countries, its people are among the poorest in West Africa. The numbers of students obtaining a secondary education is very small. Guinea has three universities, and 21 other institutions of higher education. During 2002, police in a number of towns broke up student protests for better classroom conditions. Unrest in Sierra Leone and Liberia has spilled over into Guinea, threatening stability and creating a humanitarian emergency. UNHCR reported in 2002 that more than 150,000 refugees from these neighbouring countries reside in Guinea. Official figures show that at least 40,000 refugees live in Conakry. Such numbers place an additional burden on the capital’s schools, as well as giving rise to child labour problems, including the worst forms of child labour. Most refugees are waiting to be taken to a third country under resettlement programmes. The Guinean government, in July 2003, threatened to deport refugees unless they returned to designated refugee camps.

GENDER PARITY: Approximately 51% of eligible students are enrolled in school. 37% of girls receive some basic education, compared to 66% of eligible boys. The number of females obtaining secondary education only improved from 7% to 7.3% between 1995 and 2000. Girls are often taken out of school and sent to work to pay for their brothers’ education. A growing number of citizens oppose female genital mutilation (FGM), which is widely practised, although illegal under the Penal Code.

ACADEMIC FREEDOM: The Ministry of National Education and Scientific Research influences faculty hiring and tenure and has the final word on curriculum development. In general terms, the university faculties are not subject to censorship, but hiring practices may lead to a degree of self-censorship.

CHILD LABOUR: The minimum age for employment is officially 16 years. Apprentices, however, may start at 14 years. Workers and apprentices under the age of 18 are not permitted to work at night, or for more than 10 consecutive hours, nor on Sundays. The Labour Code also stipulates that the Minister of Labour and Social Affairs must maintain a list of occupations in which women and youths under the age of 18 cannot be employed. In practice, enforcement by Ministry inspectors is limited to large firms in the formal sector of the economy and at least 48 percent of children under age 15 are employed. Girls as young as age 14 engage in prostitution. Although the government has spoken against child labour it has taken no action to combat the problem. UNICEF has reported that trafficking of children is a problem among the Sierra Leonean and Liberian refugee populations.
TRADE UNION RIGHTS: The Constitution provides for the right of employees to form independent trade unions and prohibits discrimination based on union affiliation. The Labour Code grants salaried workers, including public sector civilian employees, the right to strike 10 days after their representative union makes known its intention to strike. EI’s affiliates, FSPE and SLECG, are independent unions. A January 2002 strike by teacher unions was settled peacefully after the government agreed to meet most of the unions’ demands. In November 2002, seven FPSE and SLECG leaders were arrested and spent a night in detention as a result of undertaking joint strike action. Teachers taking part in the strike were threatened with dismissal.

EI member organisation / Membership:
Fédération Syndicale Professionnelle de l’Education (FSPE) / 15 250
Syndicat Libre des Enseignants et Chercheurs de Guinée (SLECG) / 14 186
EDUCATION RIGHTS: Guinea-Bissau is one of the 10 poorest countries in the world, and the inequality of income distribution is one of the most extreme in the world. The transition back to democracy was hampered by an economy devastated by civil war. During the last twenty years the state has sought, within its limited resources, to improve adult literacy and provide primary education for children between the ages of 7 and 13. The education system is troubled by a lack of facilities and trained teachers. In some rural areas schools are only able to offer 1st grade or 1st and 2nd grade education. Despite the stated difficulties, a study released in 2000 indicates that between 1993 and 2000 enrolment in basic education increased from 42% to 65% of the children of the appropriate age level. The rate of enrolment for girls in basic education increased from 32% to 45% while for boys it increased from 55% to 79%. There are schools for teacher training, nursing, and vocational training. The country has two universities, the public University Amilcar Cabral, and a private institution, the University Colinas de Boé.

GENDER PARITY: Rural women are traditionally responsible for most of the work on subsistence farms from an early age. Few have any access to education. Despite limited opportunity for education for females across the country, more young women are enrolled in secondary schools than young men. Women make up about 18% of students at the post-secondary level. The government has not outlawed female genital mutilation (FGM), which is common. A nationwide education campaign discourages the practice.

ACADEMIC FREEDOM: Freedom of speech and research is not restricted at the higher education institutions.

CHILD LABOUR: The law established a minimum age of 14 for general factory labour and 18 years for heavy or dangerous labour, including work in mines. In the informal sector, children often work as street traders, and those in rural communities do domestic and fieldwork without pay. The government does not attempt to discourage these traditional practices. The government has not ratified ILO Conventions 138 and 182.

TRADE UNION RIGHTS: The Constitution provides all civilian workers with the freedom to form and join trade unions. The only legal restriction on strike activity is the requirement for prior notice. The Constitution does not provide or protect the right to bargain collectively. However, a national council, established in 2001, allows for collective consultations on salary issues. As reported in the 2nd edition of the Barometer, the failure to pay salaries regularly and salary arrears was of concern to EI affiliate, SINAPROF. It remains a problem: during 2002 teachers organised strikes to protest unpaid salaries and poor working conditions, and in 2003 eight months of salary arrears led to strike action.

EI member organisation / Membership: Sindicato Nacional dos Professores [SINAPROF] / 1 590
EDUCATION RIGHTS: Between the ages of five and 14 education is free, compulsory [officially] and universal [nominally]. Guyana is a very poor country and over half the population live in abject poverty. Children are affected more severely than any other group. The public education system continues to deteriorate and Guyana is at risk of not achieving primary education for all by 2015. Schools and colleges with reasonable facilities and relatively experienced staff do exist in the capital, Georgetown. But children living in slum districts and squatter camps lack privacy and the opportunity to study. They are often not able to attend school regularly because their families require them to contribute to running the household or providing childcare. Beyond the capital there is inequality of access to quality education at all levels. In Guyana’s vast rural hinterland, there is no incentive for trained teachers to take positions because of inadequate housing, non-existent resources, and the long periods of isolation that occur during the rainy season. The Education For All (EFA) Report for Guyana shows the official adult literacy figure of [98.6%] to be a myth. The report states that pupils often leave primary school unable to read. A further survey reveals that many students are severely deficient in such basics as written expression, even after four years secondary schooling. Education problems facing Guyanese society are compounded by a decline in the number of trained teachers. Teachers’ salaries and working conditions are very poor and certainly not competitive with those offered in more developed countries in the region. Consequently, many experienced teachers emigrate. The Ministry of Education has responded to media reports on excessive corporal punishment in public schools by producing a 30-point programme intended to phase out corporal punishment. There are schools and training centres for children and young persons with disabilities but they lack trained staff. Longstanding ethnic tensions, primarily between citizens of African descent and those of South Asian origin remain a serious concern. Although it is recognised that an intolerant society impacts negatively on children in the classroom there has been little or no improvement in race relations since the subject was reported in the 2nd edition of the EI Barometer. Indigenous Amerindian peoples make up 8% of the country’s population. Their education is hampered by the fact they live in remote parts of the interior and tend to be nomadic. All teaching is in English and indigenous languages face extinction. Guyana has a state-financed university. Students are required to pay a major part of tuition costs but many have been able to finance their attendance through government loan schemes.

GENDER PARITY: Girls attend primary school at approximately the same rate as boys. In December 2000, constitutional amendments required that one-third of the parliamentary candidates be female. Twenty members of the 65 member Parliament are women. A collaborative effort between the government and the United Nations Development Programme (UNDP) plans to educate an average 350 adult women per year on women’s issues. Health professionals and NGOs report rape and incest involving girls and young women as serious problems. There is a lack of social services to assist the victims of such crimes.
ACADEMIC FREEDOM: Reports do not indicate governmental restriction of academic freedom.

CHILD LABOUR: Legally, no person under age 14 may be employed in any industrial undertaking and no person under age 16 may be employed at night, except under regulated circumstances. The law permits children under age 14 to be employed only in enterprises in which members of the same family are employed. In farming communities, many children work along-side their parents and do not attend school regularly, even if it is available. The country’s social services do not have sufficient trained staff to deal adequately with cases involving neglect, child labour and other forms of exploitation. It is common to see very young children engaged in street trading in Georgetown. UNICEF reports the practice of some young girls trading sexual favours for money. Several thousand Guyanese emigrate each year. An authoritative report asserts that some departing parents and guardians abandon their children to fend for themselves.

TRADE UNION RIGHTS: The Trade Unions Recognition Law (TURL) requires employers to recognise the union chosen by a majority of workers. The TURL also codified the right of both public and private sector employees to organise and bargain collectively. The Law defines and places limits on the retaliatory actions employers may take against strikers. The International Confederation of Free Trade Unions (ICFTU) states the Law is ineffective in practice because it fails to protect workers against anti-union discrimination. Public employees, providing essential services, may strike, subject to certain conditions. The racial divisions in society are reflected in politics, and in worker affiliations. During 2002, according to the ICFTU, ethnic tensions intensified. Efforts to negotiate a new contract between the Guyana Public Service Association (largely Afro-Guyanese) and the government (largely Indo-Guyanese) became deadlocked. In 1999, following a civil service strike, an arbitration panel awarded a pay increase for 1999, an additional increase in 2000, and step increases. The government paid the two increments but unilaterally refused to implement the step increases. Any further pay increases must be negotiated annually.

EI member organisation / Membership:
Guyana Teachers’ Union (GTU) / 7 632
EDUCATION RIGHTS: Haiti ranks as the poorest country in the Western Hemisphere. One percent of the population owns half the country’s wealth while over 80% of Haitians live in poverty, most in extreme poverty. Nearly 50% of the population are under 15 years of age and although education is officially compulsory between the ages of seven and 13 only a minority of children in this age group are able to attend school. There are far too few public schools to accommodate the country’s children. Most schools are private and serve an elite wealthy minority. Only 20% of primary schools and ten percent of secondary schools are publicly funded. Even in public schools the cost of school fees, books, materials, and uniforms are prohibitive for many families. Furthermore, there are no public schools in most rural areas. Access is also governed by the availability of teachers: there is a severe shortage, especially of trained teachers. Class sizes of up to 100 pupils are not unusual. The 2nd edition of the EI Barometer reported that in 1996, EI affiliate, CNEH, convinced the government to plan a 10-year national education programme that would promote the fundamental right of all Haitian children to basic education. The programme has not been implemented. An EI led delegation to Haiti, during 2001, concluded that there is no guarantee that the government will involve CNEH in any further planning in the education sector. In a country where malnutrition is a serious problem, the government, supported by foreign donors, has begun to operate some health clinics and food distribution programmes at schools. The government recognises Creole and French as official languages, but French, the language of instruction in schools, is understood by only 20% of the population. In September 2001, Parliament passed a law banning corporal punishment of children. All schools were ordered to post their disciplinary policies. The law also called for the establishment of a commission to determine appropriate school disciplinary measures. In practice, corporal punishment was accepted as a form of discipline. On 23 September 2002, an armed group of local officials, including the mayor, burst into the Cabaret secondary school where three teachers were holding a meeting to readmit 37 students who had been expelled for protesting against corporal punishment at the school. The armed men dragged the teachers into the schoolyard, slipped tyres around their necks and tried to set them on fire. The teachers were rescued by police who had been alerted by students. The aggressors were not charged with any offence but the three teachers subsequently were forced to go into hiding after intensified death threats. In November 2002, police shot and injured eight college students protesting school fees, corruption, and lack of public services. In several towns, student demonstrations opposing President Aristide’s regime were attacked by paramilitary supporters of the government. In 2004 demonstrations against the government of President Aristide have increased and beatings of students and other protesters has increased. The Constitution provides that persons with disabilities shall have the means to ensure their autonomy, education, and independence. However, no legislation has been passed to implement these constitutional provisions. Given the severe poverty in which most citizens live, those with disabilities face a particularly harsh existence. Disabled beggars are common on the streets of Port-au-Prince and other towns.

GENDER PARITY: Poorer families are inclined to ration education money to pay school fees only for male children.
At private and church schools there is little disparity between boys and girls enrolling at both primary and secondary levels. The Ministry of Women’s Affairs is charged with promoting and defending the rights of women and ensuring that they attain an equal status in society. The Ministry has few resources at its disposal. While there are no legal impediments to women’s participation in politics or government, women do not enjoy the same social and economic status as men. However, well-educated women have occupied prominent positions in both the private and public sector in the past several years.

**ACADEMIC FREEDOM:** While reports do not cite government restriction of academic freedom, in August 2002 some State University of Haiti students protested the appointment of interim rectors. They assert that the government has too much political influence over administration of the university. Demonstrating students were physically assaulted by supporters of President Jean-Bertrand Aristide while the police stood idly by. According to the 2003 Human Rights Watch (HRW), further protests in November culminated in several thousand students marching in Port-au-Prince. Once again, students were attacked by presidential supporters who formed para-military groups.

**CHILD LABOUR:** The minimum working age in all sectors is 15 years, with the exception of domestic service, for which the minimum is 12 years of age. There is also a legal provision that allows apprentices between the ages of 12 and 16 to work. The Labour Code prohibits minors from working at night in industrial enterprises. These prohibitions are a legal nicety. They are routinely ignored and seldom enforced. The same Labour Code also prohibits forced or compulsory labour. However, children in domestic service work in conditions that amount to slavery. Child domestics follow a long-entrenched and widely accepted custom in Haiti called «restavek». Under the «restavek» system desperately poor rural families send their children to work as domestics with families in the towns and cities in exchange for room and board and, supposedly, education. Typically, the «restavek» families use the children as slaves, denying them any access to education and leaving them abused and neglected. A United Nations study in 1998 estimated there are 300,000 «restavek» children. Over 20% are aged between four and 10 years, and 85% are girls. Rape by host family members was reported by 23% of «restavek» girls. Nearly 77% never attend school. Port-au-Prince’s large population of street children includes many «restaveks» who are runaways, or have been abandoned by their host families, or who continue in domestic servitude but are not provided with food or shelter. The Haitian Ministry of Social Affairs states that little can be done to curtail the practice, regarding it as economically motivated. However, in April 2002, a respected Haitian human rights organisation, issued a report describing the practice as abusive and calling for its abolition. Haiti has not ratified ILO Conventions 138 and 182, although the government signed a Memorandum of understanding with ILO/IPEC in 2000 that began a three-year project designed to raise public awareness and provide direct assistance to victims of child labour. The government, however, has not defined «worst forms of child labour» or «hazardous» work.

**TRADE UNION RIGHTS:** Several unions, including CNEH, have pending grievances over worker rights violations against the government before the ILO and the International Confederation of Free Trade Unions (ICFTU). Teacher unions accuse the government of unfair labour practices. They accuse the Education Ministry of implementing changes in a labour contract without advance notification or due opportunity to negotiate changes. Public school teachers’ pay cheques were two months late at the close of 2002. And in January 2003, Haiti’s teachers staged a 48-hour strike to demand the implementation of the salary increase promised 64 months previously. EI is very concerned for the safety of CNEH leaders in the increasingly violent repression in Haiti. The ICFTU reported that «the climate of violence and insecurity that prevails in the country, exacerbated by the criminal manoeuvres ... of groups close to the government,
(remains) an insurmountable obstacle to trade union rights’ recognition. Employers can act with complete impunity and groups acting on behalf of the ruling party have repeatedly attacked trade unionists.» Although the Haitian Constitution guarantees freedom of association and the right to strike, the Labour Code does not recognise the right of public sector workers to organise. In practice public sector unions exist. The Code protects private sector trade union organising activities but the government makes little effort to enforce the law. Collective bargaining is non-existent, and employers set wages unilaterally. Fifty percent of the working age population of Haiti is unemployed.

EI member organisation / Membership:
Confédération Nationale des Educateurs d’Haiti [CNEH] / 13 000
EDUCATION RIGHTS: The government allocated 23.7% of its total expenditure in 2002 to compulsory education, but this was insufficient to meet the educational needs of the nation’s children. Honduras is committed to providing free, universal and compulsory primary education to the 9th grade. Since the 2001 edition of the EI Barometer, the government has revised its estimate of the number of children aged between six and 12 years who fail to receive schooling of any kind from 175,000 to 65,000. Under the law, the police department may impose a fine on parents who fail to enrol their children in school. The National Autonomous University of Honduras, in Tegucigalpa, is the major institution of higher education. It has some 35,000 students. There are three reputable private universities. Although there are no formal barriers to participation in employment, education, or health care, by an estimated 700,000 persons with disabilities, no specific statutory or constitutional protection guarantees such rights.

GENDER PARITY: Under the law, women have equal access to educational opportunities and slightly more girls complete primary and secondary school than boys. This fact is reflected at the tertiary level where females represent 58% of enrolments. The law requires employers to pay women equal wages for equivalent work, but employers often classify women’s jobs as less demanding than those of men to justify paying them lower salaries.

ACADEMIC FREEDOM: Academic freedom is not reported to be restricted by the government.

CHILD LABOUR: The employment of minors under the age of 16 is prohibited, except that a child who is 15 years of age is permitted to work with the permission of parents and the Ministry of Labour. The Children’s Code prohibits a child of 14 years of age or under from working, even with parental permission. Violations of the Code occur frequently in rural areas and in small companies. Many children work on small family farms, as street vendors or in small workshops, to supplement the family income. According to the Ministry of Labour, an estimated 400,000 children work illegally. The Ministry identified child labour in the construction industry as a significant problem. Employers’ associations campaign to raise awareness of the law among their members. In May 2002, the ILO launched programmes focussed on the eradication of the worst forms of child labour in melon and coffee production. The government estimates there are 20,000 street children nationwide. Most are in Tegucigalpa and San Pedro Sula, the two largest urban areas. Seventy-five% are on the streets because of severe family problems, including 30% who have been abandoned. About 40% of these children are engaged in prostitution and related worst forms of child labour. At least one in three are HIV positive. Child prostitution is also a problem in some tourist and border areas of the country. Honduran children, especially young girls, are trafficked by criminal groups to other Central American countries, the United States and Canada for purposes of sexual exploitation. So called «social cleansing» campaigns of street children is a profound problem. In September 2002, the Inter-American Commission on Human Rights (IAHR) Special Rapporteur for Children visited the country to review...
the situation of extrajudicial, arbitrary, and summary killings of youths and children. International and national human rights groups implicate public and private security firms and business leaders in vigilante death squads, acting with the tacit complicity of the police. According to AI’s 2003 Report, citing the NGO Casa Alianza, 556 children were murdered in 2002. The majority of victims had no criminal records. This fact is contrary to the public’s perception, which by and large does not express disapproval of the vigilantes.

TRADE UNION RIGHTS: Workers have the legal right to form and join trade unions, and the law protects workers’ rights to organise and to bargain collectively. Employer-instigated «Solidarity» associations undermine the functioning of unions. The associations do not permit strikes, do not have adequate grievance procedures, and are employer dominated. Compulsory arbitration can be imposed on disputes in non-essential public services. The Constitution provides for the right to strike; however, the Civil Service Code denies the right to strike to all government workers other than the employees of state-owned enterprises. Nonetheless, public sector workers often engage in illegal stoppages without experiencing reprisals. Secondary school teachers went on strike for two months in 2002, demanding additional salary rises. An EI delegation and EI’s Honduran affiliates met with the Minister of Education in April 2002 to discuss the government’s proposal to do away with the current Statute of the Teaching Profession. The delegation asked the Minister to involve teacher organisations in the process before any changes were proposed to the statute.

EI member organisation / Membership:
Colegio Profesional ‘Superación Magisterial’ Hondureño [COLPROSUMAH] / 36 429
Colegio de Profesores de Educación Media de Honduras [COPEMH] / 7 000
Colegio Profesional Unión Magisterial de Honduras [COPRUMH] / 1 280
Primer Colegio Profesional Hondureño de Maestros [PRICPHMA] / 12 000
EDUCATION RIGHTS: Education is compulsory through age 16. Primary education is free, and the government pays the bulk of the cost of secondary and higher education. Early childhood education in 1999-2000 saw 366,000 children aged three years and over enrolled in 4,643 institutions. The institutions employed 31,000 certified teachers. In the same period 960,000 pupils were taught by 83,000 teachers in 3,700 primary schools. A majority of pupils begin learning a second language at primary level: typically German or English. In the 1999-2000 academic year 511,000 students were enrolled in full-time secondary education. The four historically recognised religions in Hungary - Roman Catholic, Calvinist, Lutheran and Jewish - operate autonomous schools.

Hungary began providing education for disabled children early in the 19th Century. Since the 1980s, children with special needs have increasingly been integrated into the mainstream of the education system. It is common practice for Roma children to be placed in remedial education programmes intended for students with intellectual disabilities or low academic performance. There are also Roma segregated schools which are crowded, inadequately equipped, and in poor condition. A government watchdog estimates that as many as 700 schools have set aside separate classrooms for Roma pupils. Roma constitute approximately 9% of the population. Because the government refuses to collect data based on ethnicity, reliable figures on Roma enrolment and graduation are unavailable. The government responds to criticism of its policies by citing a scholarship scheme which provided some 12,777 Roma students with bursaries for the 2000-01 academic year. In 2001, the government converted the family allowance into a school attendance allowance, ostensibly to entice Roma children to attend school. The majority of Roma, however, are extremely poor, with 70% unemployment, and typically they live in small remote villages where there are no secondary schools. Hungary has 21 public and five church-owned universities and 63 other institutions of higher education. Enrolments at tertiary level for the 18-22 age group increased from 14% in 1989 to 28% in 1999. Government policy to increase the ratio gradually to about 50% appears to be on target. Proposed changes to the legislation governing education was outlined in 2003. Change to the number of working hours for teachers was proposed.

GENDER PARITY: Females are not disadvantaged by the Hungarian education system. They represent approximately 53% of enrolment in institutions of higher education.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: Employment is illegal below age 15. Although the country was once primarily a source for children trafficked for the purpose of forced prostitution, it is increasingly a transit and destination point as well. Trafficking of minors is punishable by up to ten years in prison. If an organised trafficking syndicate is involved the sentence can be life imprisonment. Women's rights organisations, the International Organisation of Migration (IOM) and the Ministry of Youth and Sports Affairs conduct awareness raising and preventative programmes in schools.
TRADE UNION RIGHTS: Important changes to the Labour Code came into effect on 1 September 2002. The changes repeal some of the more controversial labour legislation introduced by the previous government. The Labour Code recognises the right of workers to associate freely and to organise. Collective bargaining is permitted at the enterprise and industry level. Under a separate law, public servants may negotiate working conditions, but the final decision on increasing public service pay rests with Parliament. With the exception of the military and the police, workers have the right to strike.

EI member organisation / Membership:
Trade Union of Employees in Higher Education (FDSZ) / 5 900
Teachers’ Democratic Union of Hungary (PDSZ) / 7 307
Syndicat des Enseignants de Hongrie (SEH) / 203 000
Democratic Trade Union of Scientific Workers (TDDSZ) / 3 000
EDUCATION RIGHTS: Education is free and compulsory until age 16 and free at the public universities. About 85% of students continue their education beyond the compulsory level. Upper secondary school education is financed completely by the State. Religious instruction is given in all public schools, although students may be exempted. There are two universities: at Reykjavik and Akureyri and some 40% of school-leavers go to university. There are a number of technical, vocational, and specialised schools, including a teacher-training college.

GENDER PARITY: 59% of university students are female. A comprehensive subsidised day-care system allows a high rate of female participation in the nation’s work force. Despite equal pay for equal work under the law there is a pay gap favouring males.

ACADEMIC FREEDOM: The government respects academic freedom.

CHILD LABOUR: Children under the age of 16 are prohibited from working in factories, on ships, or in other places that are hazardous or require hard labour. Children aged 14 and 15 may be employed part-time or during school vacations in light, non-hazardous work. Their work hours must not exceed the ordinary work hours of adults in the same occupation. Child labour regulations are diligently enforced.

TRADE UNION RIGHTS: Workers make extensive use of the right to establish organisations, draw up their own constitutions and rules, choose their own leaders and policies, and publicise their views. The resulting organisations are controlled neither by the Government nor by any single political party. Unions take an active part in Nordic, European, and international trade union affairs. With the exception of workers in the public sector whose services are essential to public health or safety, unions have had and used the right to strike for many years. Some 85% of all eligible workers belong to unions. Virtually all unions exercise their right to bargain collectively. Labour laws are in compliance with European human rights conventions. EI affiliate KI now represents a merger of Icelandic teacher unions.

El member organisation / Membership:
Kennarasamband Islands (KI) / 8 000
EDUCATION RIGHTS: Primary school education is not free, compulsory or universal. In 2002, the Lower House of parliament passed a constitutional amendment giving all children aged six to 14 the right to free and compulsory education provided by the Republic. A number of processes, political and social, need to be set in place before the effectiveness of the amendment will be known. Of 203 million children entitled to a basic education in 2002-2003, only 120 million were at school. Poverty and gender, as well as state and national government policies contribute to why so many children are working and not at school. The Education For All (EFA) Global Monitoring Report 2003/4 considers India at risk of not achieving either gender parity or universal education by 2015. India, along with Pakistan, Bangladesh, Nigeria and the Democratic Republic of Congo account for over 50% of children who are not in school. The school systems of the various Indian states are under the direct control of the state governments. The Federal Ministry of Education assists the state systems, and provides financial help for institutions of higher learning. In Gujarat State, extremist nationalist sentiments are reflected in school textbook revisions that denigrate religions other than Hinduism. A challenge to the Supreme Court over the content of the books resulted in a decision that books were not unconstitutional. There is now a standard classroom text throughout the state. India hosts hundreds of thousands of displaced persons and refugees. They live in poor conditions and their children receive little schooling. The children of millions of Bangladeshis residing illegally in India have no access to education. There are 16 national universities, 259 state universities, and about 11,000 other colleges of higher education in India. The traditional caste system, combined with differences of ethnicity, religion, and language, deeply divides Indian society. Despite laws designed to prevent discrimination, cultural practices have a profound discriminatory impact. Discrimination against women, persons with disabilities, indigenous people, and national, racial, and ethnic minorities is a problem.

GENDER PARITY: Over half India’s adult female population is illiterate, compared with a third of the male population. According to recent data from UNICEF, 59% of boys and 38% of girls are enrolled in secondary school. Nearly a third of tertiary students are female. In 2000 women accounted for 35% of primary school teachers according to the EFA report. This figure has increased from 28% reported in 1990. The United Nations Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW) recommended an extensive range of legal reforms, additional resources, and affirmative government action to eliminate gender inequality. Despite the fact that numerous laws exist to protect women’s rights, the government has not rigorously enforced their implementation, especially in rural areas in which traditions were deeply rooted.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: India voted for the adoption of Conventions 138 and 182 at ILO conferences but has not yet rati-
fied either Convention. Nor has the Republic introduced legislation in support of eliminating the worst forms of child labour. Firm estimates of the extent of child labour in India range widely but they reflect the known fact that over half the school-age population are not at school and receive no formal education. Millions of young children work on the family farm or along side their parents as agricultural labour. Children work as domestic servants. They are employed in the hand-knotted carpet industry, in gemstone polishing, brass work, glass and glassware production, footwear, textiles, silk and fireworks. As many as half of India’s child labourers are engaged in dangerous work activities. Bonded labour is prohibited but in the carpet industry alone human rights organisations estimate that hundreds of thousands of children work in conditions that amount to bonded labour. Human Rights Watch (HRW) says that the number of bonded child workers in India is 15 million. The children of illegal Bangladeshi migrants are especially prone to exploitation. There are at least 500 000 street children, most of whom live in abject poverty. They often suffer sexual and mental abuse and run a high risk of HIV/AIDS infection, as do the 575,000 child prostitutes in India. Trafficking in children for the purpose of forced prostitution is a widespread problem. The government participates in the ILO/IPEC programme and cooperates with other agencies of the UN system, but all efforts touch only a tiny percentage of children in the work force. The prevalence of child labour may be partly attributed to the social acceptance of the practice but the primary blame rests with failure of state and federal governments to provide universal primary school education.

**TRADE UNION RIGHTS:** The right to freedom of association is guaranteed in the Constitution. In general collective bargaining is the normal means of setting wages and settling disputes in the formal sector of the economy. Trade unionists have the right to strike, but civil servants are governed by Conduct Rules. The rules state that no government servant can resort to any form of strike or coercion in connection with any matter pertaining to his/her service and that making of joint representations is a subversion of discipline and not permitted. These provisions have been cited by the government as one of the reasons for its failure to ratify ILO Conventions 87 and 98. Several states employ «para-teachers.» They are paid extremely low wages and receive no training. Ostensibly, para-teachers work along side trained teachers in areas where there is a teacher shortage. During mid-2002 police detained 30 members of teachers’ unions and a group of activists on suspicion they were members of the People’s War Group (the Marxist-Leninist communist party of India). Some detainees were tortured and the teachers were ordered to resign. In July 2003, the EI General Secretary wrote to the Chief Minister of Tamil Nadu State expressing concern over the mass arrests and dismissals of trade unionists. Over 2,400 people were detained including 14 senior trade union leaders.

**EI member organisation / Membership:**
- All India Association for Christian Higher Education (AIACHE) / 17 400
- All India Federation of Educational Associations (AIFEA) / 135 800
- All India Federation of Teachers’ Organisations (AIFTO) / 1 600 000
- All India Primary Teachers’ Federation (AIPTF) / 2 700 000
- All India Secondary Teachers’ Federation (AISTF) / 1 200 000
EDUCATION RIGHTS: Indonesia’s EFA Report called for universal access to primary education by the year 2000, and supported a nine-year compulsory school programme. A lack of resources has prevented the government from fulfilling that commitment. According to UNICEF, 96% of children aged 7 to 12 were enrolled in school; 79% of children aged 13 to 15 were enrolled in school; and 49% of children 16 to 18 were enrolled in school. Official statistics indicate that the majority of children enrol in the 1st grade, but many drop out before completing the compulsory stage of education. Fees, official and unofficial, including payments for registration, books, examinations, testing, and uniforms have put education beyond the means of many families. Education of sons is given priority when parents cannot afford to send all of their children to school. UNICEF estimates that more than one million children drop out of primary school every year. Ethnic Chinese, approximately 3% of the population, are disadvantaged. Chinese pupils are required to show an Indonesian Citizenship Certificate, a form not required by other citizens, before they can enrol. Participation of Chinese students at state universities is restricted by informal quotas determining the number that may enrol. The law theoretically provides children with disabilities with the right to education and rehabilitative treatment. However, many young persons with disabilities encounter difficulties in receiving both education and treatment.

GENDER PARITY: According to UNICEF, the adult illiteracy rate among women is 18%, compared to 8% among men. Boys are more likely to complete primary school, and nearly a million girls aged 7 to 12 receive no formal education. Approximately a third of students enrolled in higher education are women. Female genital mutilation (FGM) is practised in some parts of the country. Reports indicate the procedure is not as invasive as in many other countries.

ACADEMIC FREEDOM: The law provides for academic freedom. While there are some constraints and self-censorship may apply, courses are not restricted and seminars, sometimes unsympathetic to the government, are not suppressed.

CHILD LABOUR: The government participates in the ILO/IPEC project with NGOs and EI’s affiliate, PGRI. Some progress has been made with a national plan to eliminate the worst forms of child labour. The law states that children under the age of 15 may not work more than four hours a day but enforcement of the legislation is weak. UNICEF stated in 2000 that more than 6 million children aged seven to 15 do not attend school. Although accurate figures are not available estimates are that 1.5 million children are in domestic servitude. 35% of child workers work under hazardous conditions as scavengers, in shoe factories, and in the chemical industry. Yet others work on fishing platforms off the coast of North Sumatra under conditions approximating bonded labour. The rattan and wooden furniture industries, the garment and footwear industries, food processing and toy making, hire still more of them. Children in factories usually work the same number of hours as adults. Indonesia is a significant source, transit point, and destination for trafficked
children for the purpose of forced prostitution. The number of juvenile prostitutes is officially 50,000 but some NGOs estimate the figure may be closer to 300,000. Law enforcement personnel are accused by NGOs of treating child sex workers as perpetrators of a crime rather than as victims. Sexual exploitation of young boys is a problem in Bali and the government is being asked to deport foreign paedophiles.

TRADE UNION RIGHTS: The ICFTU reports that new labour legislation introduced in 2003 is a serious threat to the right to strike, particularly for civil servants, and to collective bargaining. The law provides that union dues must finance union activities, but does not indicate how dues should be collected or whether management has a role in collecting dues. Workers, including civil servants, may associate and join unions of their choosing. Although government regulations prohibit employers from discriminating against or harassing employees because of union membership, there were credible reports of employer retribution against union organisers. Some teachers carried out demonstrations and strikes during the period under review. Teachers may join or form their own union and the restriction on the number of unions in a sector has been removed. In practice collective bargaining agreements rarely go beyond the legal minimum standards established by the government.

EI member organisation / Membership:
Teachers’ Association of the Republic of Indonesia (PGRI) / 1,300,000

Since the 2nd edition of the EI Barometer East Timor (see TIMOR-LESTE) completed its separation from the Republic, Indonesia consists of a very diverse conglomeration of peoples inhabiting 6,000 islands. It was artificially brought together during the Dutch colonial period. Numerous tensions exist and separatist movements have developed in a number of administrative divisions; most obviously Aceh, (Northern Sumatra) and West Papua (Irian Jaya). Indonesia has granted ‘special autonomy’ to both, hoping to satisfy secessionist aspirations. Conflict throughout the archipelago disrupted the education of many children in 2002. The long-standing policy of transmigration from over-populated provinces is a continuing source of friction.
EDUCATION RIGHTS: Education is free and compulsory for children from the age of 6 to 16. In practice, most children start school at age four or five and remain in the education system to age 18. The first two years of the eight-year primary school cycle constitutes early childhood education, although there are also many privately-funded nursery and playschools providing for 2 to 5 year olds. The education system is a partnership between the state and various private agencies, most of them denominational, primarily Catholic. School management involves the local community, including parents and teachers. A few primary schools are controlled by the Irish language community or by non-religious bodies. Their infrastructure is almost identical to that of the religious schools. A third of secondary schools are vocational schools. They are operated by local educational authorities. Still others are community and comprehensive schools. In all cases management is drawn from various branches of the community, church, local authorities, and the populace, including parents and teachers. The Irish language is part of the curriculum in all government-subsidised schools, but it is the mother tongue for fewer than 10,000 pupils. Travellers, an itinerant community of approximately 25,000, loosely analogous to Roma, are discriminated against. Despite the law, Travellers experience difficulty enrolling their children at school, especially in mainstream classes. EI’s Irish affiliates are active in helping make education more accessible and schools more welcoming for Traveller children. Disabled students and students with special educational needs are not provided for adequately. Migrant and refugee children are a problem for Irish society and unprepared educators find themselves dealing with incipient racism. There are universities in Dublin (3), Cork, Limerick and Galway. Ireland has five state-subsidised teacher-training colleges, and a range of technical institutes which provide post-secondary school diplomas and primary degree courses. Representing primary teachers, INTO was part of a programme with teachers from Northern Ireland, Amnesty International and Education International to develop a programme for human rights education in primary schools.

GENDER PARITY: Females and males are represented throughout the education system in comparable numbers. According to legislation, women may not be discriminated against in the work force. However, they tend to be paid less for work of equal value in the private sector and are underrepresented in senior management. The Maternity Protection Act provides a woman with 14 weeks of paid maternity leave and the right to return to her job. The Parental Leave Act allows a child’s mother and father each to take 14 weeks of unpaid leave to care for a child under the age of 5.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: Children may not be employed under age 16 in regular full-time jobs. 14 and 15 year olds may perform light work during school holidays, as part of an approved work experience or educational programme. 15 year olds can work on a part-time basis during the school year. The Child Trafficking and Pornography Act strengthens meas-
ures to protect children from sexual exploitation, including any exchange of information on the Internet that implies a child is available for sex. The Act criminalises trafficking in children for the purposes of sexual exploitation, with penalties up to life imprisonment.

TRADE UNION RIGHTS: Approximately 50% of the work force are members of unions. The teaching profession is 90% unionised. The right to strike is freely exercised in both the public and private sectors. Most terms and conditions of employment are determined through collective bargaining, in the context of a national economic pact, negotiated every three years by the ‘social partners’ (unions, employers, farmers and government). The Employment Equality Act outlaws discrimination in employment on the grounds of gender, marital or family status, sexual orientation, religious belief, age, disability, race, or membership in the Traveller community. The Equal Status Act extends this ban of discrimination to other areas of society.

EI member organisation / Membership:
Association of Secondary Teachers (ASTI) / 16 500
Irish Federation of University Teachers (IFUT) / 1 595
Irish National Teachers’ Organisation (INTO) / 30 174
Teachers’ Union of Ireland (TUI) / 11 000
EDUCATION RIGHTS: Education is free for all citizens of Israel to age 18. 90% of students complete compulsory schooling, which starts at age five and continues to age 16. Students aged 14 to 18 who have not completed compulsory schooling are obliged to attend special classes. Parents may choose among state secular education, state religious education or recognised orthodox religious schools. The school syllabus includes radio and television lessons in both Hebrew and Arabic. The political climate has had a serious adverse affect on children. Inter-school competitions, field trips and other educational visits have been cancelled because parents do not want their children to undertake unnecessary travel. A particular challenge for the education system is that of assisting Jewish immigrants of various backgrounds to adjust to Israeli society. Only 41% of the entire population of Israel were born in the country; nearly half of them are non-Jewish. The great majority of the Jewish population are 1st generation Israeli, along with Jewish citizens who are «new-comers.» Israeli-Arab children on the other hand are a homogenous group and locally born. They make up a quarter of Israel’s public school population. Israeli-Arab students are not eligible to participate in a special education programme to provide academic assistance to students from disadvantaged backgrounds. The government, however, has promised to equalise special education resources by the end of 2004. According to the U.S. Department of State Human Rights 2002 Country Report, government spending on children «was proportionally lower in predominately Arab areas than in Jewish areas, which adversely affected children in Arab villages and cities ...historically government resources allocated for them (are) proportionately less than for Jewish children. Many schools in Arab communities (are) dilapidated and overcrowded, (lack) special education services and counsellors, (have) poor libraries, and no sports facilities.» The Israeli government’s report to the UN in February 2002 stated that the state’s investment per Arab pupil was approximately 60% of investment per Jewish pupil. There are thousands of children in the country as the result of a growing population of foreign workers, many of whom are in the country illegally. Occasionally such children do not have access to adequate education or medical care. The spate of suicide bombings, many of which have taken place near schools or universities or in places where young people congregate, have resulted in increased psychological trauma of children and teachers. Education funds that were to be used for increased support to students experiencing difficulties are being used to provide counselling to students. Higher education includes seven universities and the statewide Open University. Relative to their numbers, Israeli-Arabs are underrepresented in the student bodies. And of the 5 000 university professors and lecturers fewer than 60 are Israeli-Arabs.

GENDER PARITY: Access to education in Israel is not distinguished by gender. A higher illiteracy rate for adult women than for adult men reflects the culture of countries of origin of migrants to Israel. There is no legal impediment to women’s participation in government. Under the law women have equal rights in the workplace, the military, education, and health, housing and social welfare. Women make up 57% of students enrolled in tertiary level education. In March 2003, the Knesset passed the Equality of Women law guaranteeing equality in the workplace, military, education,
health, housing and social welfare. Income gaps remain between men and women doing work of equal value.

**ACADEMIC FREEDOM:** While the law protects academic freedom, the government’s inclination to restriction encourages caution. Self-censorship may apply. During 2002, the Minister of Education failed in an attempt to prosecute professors who supported conscientious objectors to Israeli policies. An attempt to fire an historian, because of his interpretation of the foundation of the modern state of Israel, was dismissed. Beyond the control of the law is the General Security Service’s practice of monitoring and approving the appointment of teachers and administrators in Israeli-Arab schools.

**CHILD LABOUR:** Children who are 14 years old may be employed during official holidays. Employment of those 16 to 18 years of age is restricted to ensure time for rest and education. There are no reliable data on illegal child workers but it occurs. Illegal employment is found primarily in urban, light-industrial areas. Children’s rights activists estimate that there may be several hundred prostitutes among the nation’s children, and they warn that the problem is unlikely to be eradicated until the social problems that give rise to it - including child abuse and schools that give up too readily on dropouts - are addressed.

**TRADE UNION RIGHTS:** The ICFTU reports that the trade union rights of Israeli workers are fairly well respected. An ILO expert sent on mission in April-May 2002 reported that Palestinian workers were expelled from Israel and replaced by workers from Asia and Eastern Europe. Chinese construction workers find their rights completely ignored and face appalling work conditions. Israeli workers are free to organise and bargain collectively. Strikes are permitted. Education unions in Israel were discussing strike action because of the curtailment of education funding and the level of salaries paid to education personnel. Military spending has increased because of the military action in the West Bank and Gaza and other funding has been decreased or has remained static as a result. Both ITU and ASSTI have Arab-Israeli members, including at the executive level of the organisation.

**El member organisation / Membership:**
Association of Secondary School Teachers in Israel (ASSTI) / 18 000
Israel Teachers’ Union (ITU) / 70 000

**FOOTNOTE:** Authoritative 2002 statistics state that the population includes 187 000 Israeli settlers in 242 settlements and civilian land-use sites in the West Bank, 20 000 in 42 settlements in the Israel-occupied Golan Heights, 5 000 in 25 communities in the Gaza Strip, and about 176 000 in communities in East Jerusalem. See also Palestine.
EDUCATION RIGHTS: As of the academic year 1999-2000, schooling is compulsory for children from age seven to age 18, an increase of two years. Those who are unable to follow the academic curriculum may shift to vocational training at age 15. This reform is intended to reverse the lower secondary school dropout rate. The dropout rate for 2000-2001 was 4.6%. Public schools serve about 90% of the population. Over 95% of children aged 3 to 6 receive some form of early childhood education. In 2000-2001, 2.8 million pupils aged 6 to 11 were taught by 270 000 teachers in 18 700 primary schools. In the same academic period, nearly two million students in the 11 to 14 age group were enrolled in lower secondary schools [scuola media], and over 2.55 million were enrolled in various types of upper secondary schools. The French and German and Slovene minorities in Northern Italy enjoy a long-standing semi-autonomous status and their children are entitled to be taught in their respective languages in public schools. Children with disabilities are fully integrated in regular classes and benefit from the assistance of a specialist teacher. A decline in the Italian birth rate has had a significant impact on the education sector, with falling enrolment, especially at primary level, giving rise to a surplus of teachers in some areas and a competitive employment environment. Most universities are public. Public university fees are low, and enrolment is unrestricted for most students.

GENDER PARITY: Males and females enjoy equal access and treatment with regard to education. Of the 1.8 million students enrolled in tertiary education over one million are women. The major trade union confederations and the government agreed on a code of conduct regarding sexual harassment in the workplace. The code follows a European Union recommendation. Women enjoy legal equality with men in marriage, property, and inheritance rights. Mothers and fathers have an equal right to take leave when a child is sick. Women constitute 51% of civil servants but only 24% had high-level assignments. Women’s salaries were 26.6% lower than men’s for comparable work. In public education, women represented 80% of the personnel but only 22% of general directors, 37% of executives, 33% of inspectors, and 33% of union members.

ACADEMIC FREEDOM: The Constitution guarantees the independence of the universities and provides for academic freedom. Reported do not indicate governmental or societal restriction. The law prohibits clandestine associations, and organisations that pursue political aims through force, that incite racial, ethnic or religious discrimination, or that advocate fascism.

CHILD LABOUR: The trafficking of illegal immigrant children from North Africa, the Philippines, Albania, Nigeria, Eastern Europe, and particularly China is a problem. Typically, the Chinese children come with their parents and work in sweatshops in Tuscany for Chinese criminal gangs. The law prohibits paedophilia, child pornography, possession of pornographic material involving children, «sex tourism» involving minors and trafficking in children. The government,
employers and unions continue a tripartite co-operation on child labour. They are parties to a 1999 charter which extends compulsory education, enforces school attendance, implements programmes to reduce drop-outs, provides extra assistance for needy families and further restricts exceptions to the minimum age law. It also extinguishes economic and administrative incentives for companies found to be making use of child labour, including abroad.

**TRADE UNION RIGHTS:** The law provides for the right to establish, join and carry out union activities. The Constitution provides for the right of workers to organise and bargain collectively. By custom [though not by law], national collective bargaining agreements apply to all workers regardless of union affiliation. Some 40% of the workforce are unionised and belong to one or other of the three major trade union federations. The right to strike is embodied in the Constitution and is frequently exercised. Dismissals of workers must be justified in writing. If a judge deems the grounds spurious, he can order the employer to reinstate or compensate the worker; in firms employing more than 15 workers, workers have the option to choose between reinstatement and compensation, whereas in firms with fewer than 15 workers, the employer makes the choice. There were numerous strikes in many sectors during 2002, including a 16 April general strike. That protest, which all major unions backed, was called to oppose the government’s liberalisation of restrictions on an employer’s right to fire workers (see Section 6.a.). The unions considered these restrictions to be an important symbolic right. In July all major trade unions, except CGIL, accepted a limited, experimental liberalisation of the restrictions as part of an annual labour pact. In October, CGIL staged a national one-day strike to protest the government’s proposed 2003 budget and to reiterate its opposition to the liberalised dismissal provisions.

**EI member organisation / Membership:**
- CISL-Scuola (CISL-S) / 15 000
- Sindicato Nazionale Autonomo Lavoratori Scuola (SNALS) / 165 000
- Sindacato Nazionale Scuola CGIL (SNS-CGIL) / 23 000
- UIL-Scuola (UIL-S) / 5 000
EDUCATION RIGHTS: The Education Act states that all children between six and 12 years of age must attend school but basic education is not entrenched as a constitutional right. Jamaica is considered at risk of not achieving universal primary education by 2015. The portion of the government’s budget spent on education dwindled from 18% in 1990 to 11% in 2000. The 2nd edition of the EI Barometer referred to government plans announced in 1998 for a wide improvement to primary and secondary education. These plans, to be funded by international loans, do not appear to have proceeded. In many schools the teacher pupil ratio is very high with one teacher often responsible for five or six grades. Lack of transportation compounds the problem. Thousands of children never attend school. About 60% of Jamaican children, mostly in rural areas, drop out early. Some reports suggest that many students who complete 6th grade education are functionally illiterate. Few schools have computers or advanced teaching aids. There is a shortage of secondary schools so primary graduates must take competitive examinations for placement. The principal campus of the University of the West Indies is at Mona, near Kingston. Mona began in 1948 as a college of the University of London. The University serves 16 English speaking Caribbean countries and territories. It gained full independence in 1962 and opened additional campuses at St Augustine, Trinidad & Tobago, and at Cave Hill, Barbados. The University operates centres in non-campus countries as well as The Distance Education Centre. Initially by audio conferencing and more recently through teleconferencing the Centre provides students from non-campus sites with immediate contact with their campus-based lecturers. No laws mandate accessibility for persons with disabilities to education or other government services. The Minister of State for Labour and Social Security reported that out of a disabled population of approximately 250,000, only about 200 persons were gainfully employed.

GENDER PARITY: Female adult literacy is officially over 90%, approximately 7% above the literacy rate for males. Female students are a little more likely to complete primary school and to graduate from secondary school than males. Women represent about 64% of students taking tertiary courses. The law prohibits prostitution but it is widespread, especially in tourist areas. The Constitution and the Employment Act accord women full legal equality. In practice women suffer from discrimination in the workplace and often earn less than their male counterparts.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: The Juvenile Act provides that children under the age of 12 shall not be employed except by parents or guardians, and that such employment may only be in domestic, agricultural, or horticultural work. Enforcement, however, is erratic. Thousands of children are kept home to help with housework and to avoid school costs. There is no evidence of widespread illegal employment of children in formal sectors of the economy. An ILO study revealed that girls as young as 10 years old were engaged in prostitution and that the problem of child prostitution was nationwide. In 2001,
the government began a programme to tackle the problems of street children. The programme includes a care centre, a re-socialising centre and a number of skills centres. With assistance of ILO/ IPEC the government undertook several sector-specific programmes to study and combat child labour. However, it is yet to ratify ILO Conventions 138 and 182. The Juvenile Act refers to at-risk children as ‘in need of care and protection’ but due to fiscal constraints such children are often held in police lockups with adults for long periods and without access to adequate education. This is despite earlier reports that the Government was making resources available to provide purpose-built facilities for juveniles in care.

TRADE UNION RIGHTS: Jamaica faced a fiscal crisis in 2003. The crisis did not improve by the end of the year. In December 2003, public sector worker unions told the government they were willing to accept a wage freeze as a trade-off if the government was willing to forego job cuts as part of cost saving measures to cut public spending. The law provides for the right to form or join a trade union, and unions function freely and independently. The country’s poor economy has led to a decline in union membership. Some companies lay off union workers then rehire them as contractors with reduced pay and benefits.

Under the Labour Relations and Industrial Disputes Act (LRIDA) the right to strike is neither protected nor prohibited. But public service employees in ten categories defined as «essential services» are denied the right to strike under the Act. The ILO has repeatedly condemned the definition of «essential services» as being too broad. The International Confederation of Free Trade Unions (ICFTU) asserts that collective bargaining is also restricted by the LRIDA.

EI member organisation / Membership:
Jamaica Teachers’ Association [JTA] / 16 000
EDUCATION RIGHTS: Enrolment levels for both boys and girls until the end of the free and universally available upper secondary level (at age 18) exceed 95%. All children at age 6 are required to begin the six years of primary schooling. On completion, they are required to go on to a three-year lower secondary school. The upper secondary school programme lasts three years or longer. There is a variety of options available at the upper level, including full-time study, part-time [day or evening] and correspondence classes. Technical, commercial and vocational schools are also maintained, as are schools for the physically and intellectually disabled. Severe bullying, or ‘ijime’, is a serious social problem of concern to the government and to the education union JTU. Critical publicity and increased public awareness since the 2nd edition of the EI Barometer has not, unfortunately, led to a decline in bullying. There is, however, better reporting, and counselling services for victims have improved. JTU advocates reform that takes into account the needs of the whole child rather than academic achievement alone. Japan has about 66 public and 556 national or private universities and thousands of other institutions of higher education.

GENDER PARITY: Females and males are equally represented in the education system from early childhood through to university gradation. The law prohibits wage discrimination against women, who make up between 40 and 50% of the work force. In fact women are poorly paid in relation to their male colleagues. On average female workers earned only 65.3% of average male earnings in 2001. Younger women (age 20-24) tend to make almost as much as men while older women (50 and older) make much less. Women tend to hold inferior positions even when highly qualified. Sexual harassment in the work place, a serious problem, is being addressed in an increasingly open way.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom. The JTU was in the forefront of successful opposition to the introduction of textbooks produced by ideological nationalist authors, editors and publishers. The textbooks minimised Japan’s actions in World War II and either denied or failed to mention that Japan was responsible for any atrocities before or during the War.

CHILD LABOUR: By law, children under the age of 15 may not be employed at all and those under age 18 may not be employed in dangerous or harmful jobs. Child labour laws are rigorously enforced. The law also prohibits the sexual exploitation of children under age 18 and the production, sale, or distribution of child pornography.

TRADE UNION RIGHTS: The Constitution recognises freedom of association, the right to organise, bargain and act collectively. The rights of employees in the public service, including teachers, are heavily restricted. The government promised the ILO in 2001 to negotiate with the public service on these restrictions but failed to do so. Once again, the recommendations from the most recent case submitted to the ILO by the public sector unions, including the education
union, requested the government of Japan to review its legislation on the rights of public servants. The government has consistently ignored ILO recommendations and instead refers to «the distinctive status of public employees in Japanese society» as something to be taken into account. Teachers do not have the right to strike, although they have recourse to mediation and arbitration. Teachers in Japan are classified usually as local government officials and their unions are officially recognised as legal entities for the purpose of negotiations with their employers, the local authorities. Many of the unions in prefectures that are affiliated with the JTU have succeeded in achieving «written agreements» with their local authority. The JTU itself has acquired the status of a «judicial person.»

EI member organisation / Membership:
Japan Teachers’ Union (JTU) [NIKKYOSO] / 263 016
EDUCATION RIGHTS: Twenty-six percent of the Republic’s population live below the poverty line and although the government is committed to children’s rights budget limitations severely limit the country’s effectiveness in dealing with children’s issues, including education. Education is free, compulsory and universal through age 16. Students may begin technical training at an earlier age. Kazakhstan’s main ethnic groups are Kazakhs and Slavs. There are numerous smaller populations, including peoples of Uzbek and German heritage. The United Nations High Commissioner for Refugees (UNHCR) estimates that there are about 20,000 refugees in the country, 12,000 of whom are from Chechnya. The Constitution states that Kazakh is the official state language. However, Russian is frequently used in everyday business, and remains designated as the «language of inter-ethnic communication.» Taking into consideration the ethnic needs of the population, school education is available in seven languages. There are 126 higher educational institutions.

GENDER PARITY: The law provides for equal access to education by both boys and girls. There is no legal discrimination against women and the President and other members of the government encourage women’s rights. However, traditional cultural practices limit women’s role in society and their salaries are, on average, 62 percent that of men’s. Women have unrestricted access to higher education and make-up more than fifty percent of enrolments at tertiary institutions.

ACADEMIC FREEDOM: In general terms the government does not restrict academic freedom. However, there is a degree of self-censorship and the President and his family are not a subject for criticism. In September 2002, a female university student was threatened with expulsion and the loss of her scholarship if she persisted with a campaign opposing a draft youth law.

CHILD LABOUR: Children between the ages of 14 and 16 may work with the permission of their parents or guardian. Minors from the ages of 16 to 18 may work full-time provided they are not required to do heavy work. During harvest season children are routinely employed. The Criminal Code prohibits the sexual exploitation of minors and the sale of children. Prosecutions are rare. The IOM, in conjunction with 19 NGOs across the country, began a campaign in 2001 that provides information on the dangers of trafficking and established hot lines for its victims. The Republic is a source, a transit point, and a destination for victims of trafficking.

TRADE UNION RIGHTS: The Constitution and the Labour Code provide for basic worker rights, including the right of workers to join and form unions of their choosing; however, the government sometimes infringed these rights. The Law on Collective Bargaining and Strikes establishes that workers may request, in writing to pay their union dues by
direct payroll deductions of up to one percent. The Constitution also provides for the right to strike but workers may only exercise the right failing resolution through compulsory arbitration procedures. Unions and individual workers exercised the right to strike during the period under review primarily to protest the non-payment of wages, unsafe working conditions and to recover back wages. The law permits collective bargaining and collective agreements but such instruments are rare in practice. The ICFTU reports that it is common practice for companies to set up their own puppet union or employees’ organisations to carry out activities that are the prerogative of trade unions.

*El member organisation / Membership:
Kazakhstan National Trade Union of Teachers and Science Workers (KNTUTSW) / 530 000*
EDUCATION RIGHTS: Kenya reported a serious shortage of teachers in 2002. Then, in January 2003, the government announced a major change in education policy when it declared that primary education would be universally free at the country’s 17,000 public primary schools. The immediate impact was to increase enrolment from six million pupils to over 7.5 million. The teacher shortage jumped from 22,000 to over 60,000. Through 2003 classes with over 100 pupils were not uncommon and many teachers worked double and triple shifts in an effort to accommodate the new policy. The current teacher crisis may have been averted but for the fact that recently 30,000 trained teachers were dismissed on the recommendation of the World Bank. There is also a serious shortage of schools and other facilities, but the teaching fraternity is committed to doing its best to carry the additional burden. A senior headmistress in Nairobi described schools as a haven where (children) can get away from domestic situations, often marked by poverty, prostitution and alcohol abuse. She added that «some pupils sometimes bring their brothers and sisters, who are too young for school, to protect them from bad influences.» Despite the large increase in enrolment, about two million school-age children are not at school, and approximately 1.5 million children with special needs and disabilities have little or no access to formal education. There are also tens of thousands of refugee children in Kenya and they are provided with some schools. In January 2004 a Kenyan court decision supported the right of children with HIV to attend school. Teachers had refused entry to the children. Kenya has six public and six private universities and a number of specialised colleges, including the Kenya Conservatory of Music.

GENDER PARITY: Adult male illiteracy is officially about 12 percent and adult female illiteracy about 26 percent. Girls and boys have equal access to primary schools in much of the country, but there are substantially more boys enrolled at secondary schools. Women make up about 45% of students at universities and other higher education institutions. Female genital mutilation (FGM), which affects about 38% of the female population, was outlawed in March 2002.

ACADEMIC FREEDOM: Academic freedom was circumscribed under the previous regime. There is no firm indication as to whether the current government will abandon all the restrictions on academic freedom established by its predecessor.

CHILD LABOUR: There are at least 1.9 million children in work. About 1.3 million work fulltime and about 600,000 are working and attending school. One source concluded that the child labour statistics are understated and there may be as many as five million children in work. It remains to be seen what the long term effects of free primary education will be on the incidence of child labour. A failing economy and HIV/AIDS are contributing to an annual increase of 20% in the number homeless children. A conservative estimate is that 300,000 children live and work on the streets in...
country’s urban areas, especially Nairobi and Mombassa. Forced child labour occurs. There are cases, mostly in rural areas, of children being loaned as workers to pay off debts. Children often work as domestic servants in private homes or in family businesses. The employment in industry of children under the age of 16 is illegal but the Employment Act applies neither to the agricultural sector, where about 70% of the labour force is employed, nor to children serving as apprentices under the terms of the Industrial Training Act. Child prostitution is a major problem in Nairobi and Mombassa where it is connected with the tourist trade. Some male and female child prostitutes are as young as eight years of age. The government cooperates with the ILO/IPEC, especially to combat the worst forms of child labour.

**TRADE UNION RIGHTS:** Except for central government civil servants, including university academic staff, workers are free to join unions of their choice. Teachers as well as other civil servants may strike provided they give 28 days’ notice. During this 28-day period, the Minister of Labour may mediate, nominate an arbitrator, or refer the matter to the Industrial Court, for binding arbitration. Once a dispute is so disposed of, any subsequent strike action is illegal. The major national federation is the Central Organisation of Trade Unions (KOTU). EI affiliate, KNUT, which represents one-third of unionised workers, is not a member. KNUT was engaged in a long-standing and acrimonious dispute with the previous regime on pay and conditions. In September 2002 KNUT launched a strike, its third since 1997, when the government failed to implement agreed pay increases for teachers. Intimidation, harassment and threats to union leaders and teachers resulted and the minister of Education attempted to revoke the 1997 pay agreement. Collection of union dues was suspended. After 28 days the strike was called off to allow students to write national examinations. In July 2003, KNUT secured a salary increase, which was welcome but far from generous. University staff, members of the University Academic Staff Association (UASA) were on strike for improved salary and benefits in December 2003.

**EI member organisation / Membership:**
Kenya National Union of Teachers [KNUT] / 158 619
Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers [KUDHEIHA] / 10 000
EDUCATION RIGHTS: Education is free and compulsory from age 6 until age 15. Attendance is not enforced and a significant number of children do not attend school or acquire any kind of formal education. Following a national examination, about 40% of primary school graduates qualify to attend seven years of secondary school. Kiribati consists of 33 small atolls scattered across a vast area of the central Pacific Ocean. Each of the 21 inhabited atolls has at least one primary school; some of them run by church organisations. There are 86 primary schools and 13 secondary schools. Early childhood programmes are widely available. There is a teacher-training college, a technical institute and marine and fishing training centres in the capital, Bairiki, on Tarawa atoll, where over a quarter of the population live.

GENDER PARITY: Males dominate the traditional culture but females have equal access to education and full rights of ownership and inheritance. It is government policy to hire qualified women in the small public service. 65% of primary school teachers are women according to the Education for All Global Monitoring Report 2003/4.

ACADEMIC FREEDOM: Reports indicate that Kiribati, one of 12 countries which jointly owns the University of the South Pacific respects the Senate authority with regard to teaching and research. (See also Fiji.)

CHILD LABOUR: The law prohibits the employment of children under the age of 14. Children under the age of 16 are prohibited from industrial employment and employment aboard ships. The law is effectively enforced. Children are rarely employed outside the traditional economy of subsistence farming and fishing.

TRADE UNION RIGHTS: Workers are free to organise unions and the government does not control or restrict unions. The small formal sector, mostly in the public service, has a relatively strong and effective trade union movement. The government sets wages in the public sector. The law provides for the right to strike. The last one took place in 1980.

El member organisation / Membership:
Kiribati National Union of Teachers [KNUT] / 400
EDUCATION RIGHTS: The government provides a good standard of education free and compulsory through to the completion of junior high school, usually age 15. Early childhood education is not free and is provided by private institutes or institutes affiliated to public primary schools. Public education at the secondary school level varies in quality, and many students enrol at private institutions, placing a heavy financial burden on parents and families. In the primary school sector, the concentration of the school-age population in Seoul and other urban areas has brought about overcrowded classes and oversized schools. Accordingly, the government has targeted improvements in this area. The largest schools have been sub-divided and the double-shift system of classes all but eliminated. At both primary and secondary school levels, curriculum reforms have reduced compulsory subjects and increased the number of electives. Around 60% of secondary school graduates go on to one of Korea’s 477 institutions of higher education. Discrimination against persons with disabilities in employment and education as well as in other state services is illegal.

GENDER PARITY: Approximately 1% of adult males appear in statistics as illiterate compared with 4% of females. The current generation of girls has equal access to the education system. However, only a third of students enrolled in higher education are women. The law prohibits gender discrimination but traditional attitudes limit opportunities for women, who are still considered subordinate to men, socially and economically, in Korean culture. However, social mores and attitudes are changing gradually. The establishment of the Ministry of Gender Equality in the government is intended to increase employment opportunities for women and enhance rights for women in society, while closely monitoring violations and instances of discrimination.

ACADEMIC FREEDOM: In general terms academic freedom is respected. There are credible reports, however, of government informants operating on university campuses.

CHILD LABOUR: The law prohibits the employment of persons under the age of 15 without a special employment certificate from the Labour Ministry. Few such certificates are issued for full-time employment. Some children are allowed to hold part-time jobs such as selling newspapers. To obtain employment, children under 18 must have written approval from their parents or guardians. Minors may work only a limited number of overtime hours and are prohibited from employment at night without special permission from the Ministry. Child labour laws and regulations are clear and usually enforced when violations are found, but the government employs too few inspectors to carry out regular inspections. Korea is considered a major transit point for foreign smugglers trafficking children destined for sexual exploitation, domestic servitude and other worst forms of child labour. The children are believed to be destined mainly for the USA. The law imposes lengthy prison terms for persons convicted of sexual crimes against children.
TRADE UNION RIGHTS: Legislation affecting trade union rights is restrictive. Most civil servants have virtually no trade union rights. However, the ban on teachers functioning as unions was lifted in 1999, and teachers began to organise at the school level in 2001. Though still restricted in some areas, such as the right to strike, teachers have the right to bargain collectively with the Ministry of Education on wages and working conditions. Teachers may not negotiate the content of school curricula, and it is still illegal for teacher unions to take collective action. EI member unions, KFTA and Chunkyojo held demonstrations in 2001. In June 2003, EI launched an urgent action appeal regarding a serious invasion of privacy into teachers’ and students’ rights and the government’s response to the protests that followed. The crisis arose from a decision to start a national information system to collect and retain personal data on all students. EI affiliate, Chunkyojo, took action. Subsequently, several senior Chunkyojo members were sentenced to terms of imprisonment and, at the time of writing, the President of the union was on bail awaiting trial.

EI member organisation / Membership:
- Korean Federation of Teachers’ Association (KFTA) / 262 266
- Korean Teachers and Educational Workers’ Union (KTU) (CHUNKYOJO) / 15 000
- Korean Professors Union (KPU) / 1 005
EDUCATION RIGHTS: There are approximately two million people living in Kosovo. The vast majority of them in 2003 were Albanian Kosovars. By the end of the conflict, the Serbian population had diminished from 200,000 to about 20,000. Those who remain are more or less confined to five enclaves. In March 2002, the Ministry of Education, Science, and Technology and the Ministry of Health assumed responsibility for children’s education. A 2000 UNMIK regulation made enrolment in public school mandatory for children between the ages of 6 and 15. In July 2002, the Kosovo Assembly passed a new law on education, which included provisions to ensure equal conditions for schoolchildren of all communities. The law on primary and secondary education was promulgated in October 2002 and the law on higher (university) education in 2003. The elected Assembly accommodated minority populations by providing for the right of all Kosovar children to native-language public education through the secondary level. Primary and secondary schools teaching Serbian, Bosnian, and Turkish were in operation. However, the Assembly was not willing to license publicly-funded higher education institutions designed to operate parallel to the University of Pristina. Roma, Ashkali, and Egyptian children attended mixed schools with ethnic Albanian children. Roma children reportedly faced intimidation in majority Albanian areas and tended to be disadvantaged by their community’s poverty. Many had to start working at an early age to contribute to the family income. Bosniak children were able to obtain some primary education in their own language, but faced a lack of trained Bosniak teachers. The Ministry of Education introduced the Catch-Up programme for minority children, mainly Roma-Ashkali-Egyptians who had often missed schooling due to frequent moves in the post-conflict situation. A registration process for displaced minority children at the secondary and higher education level was also developed. Each municipality has also been given the responsibility of creating separate classes for children with disabilities, in an effort to identify special needs children. An EI mission to Kosovo in May 2003 assessed the situation and the conditions of schools and teachers in the war-torn region. An objective of the mission was to conduct a seminar on negotiation skills, co-organised by EI and its Dutch affiliate, AOb. The mission also met with the leaders of its local affiliate, SBASHK, and the leaders of Serbian teachers’ union in Kosovo (SOK). Although inter-ethnic conflicts are diminishing, tensions between the Albanian Kosovars and Serbian citizens of the territory are rife. Other ethnic groups have also left the province, in particular Roma and Montenegrin minorities, either from choice or under pressure from the Albanian majority. Most children attended primary school and the majority who completed their education carried on to secondary school. Although a number of additional public schools run by UNMIK and the Ministry of Education reopened during 2002, extensive damage, a lack of educational materials and electric power cuts continue to hinder the full functioning of the education system. Due to lack of freedom of movement, Kosovo Serb children frequently attend neighbourhood schools that are often housed in inadequate facilities and lack basic equipment.

GENDER PARITY: Boys and girls have equal access to education. Women make up 52% of students enrolled in higher education. Despite this, women still do not enjoy social status equal to that of men, and relatively few women obtain
upper level positions in government and commerce. Legally women are entitled to equal pay for work of equal value; however, according to the International Helsinki Federation for Human Rights, women’s average wage was 11% lower than the average wage of men. Maternity leave for one year, with an additional 6 months if required, is available to women. In urban areas women are represented widely in many professions and are also active in political and human rights organisations.

ACADEMIC FREEDOM: There is one university in the territory and it is not practical for Serb students to enrol or for Serb academics to be employed there. In that sense it cannot be said that academic freedom is unrestricted in Kosovo.

CHILD LABOUR: Children may work at age 15 provided that the work does not interfere with their completion of compulsory education. Youths aged 16 and 17 may work full time provided the nature of the work is unlikely to jeopardise their health, safety or morals. In villages and farming communities children may work assisting their families. In Pristina and in other towns and cities, children can be found working in stalls or selling small items such as cigarettes on the streets. Kosovo is a destination, a transit point and a source for girls trafficked to other parts of Europe for prostitution and forced prostitution. This is a serious problem. The client base in Kosovo includes ethnic Albanians, international workers, and peacekeeping troops.

TRADE UNION RIGHTS: The Essential Labour Law (ELL), introduced by UNMIK, provides for fundamental rights at work without mentioning a right of association, or the right to form and belong to unions. The right to organise and bargain collectively is still at a rudimentary stage. The right to strike is not recognised in the ELL but strikes are not prohibited. The Kosovo Office of Statistics estimated that the unemployment rate was 60%. The average wage paid to those who were employed full-time was insufficient to provide a decent standard of living for a worker and family. The 2001 labour legislation provided for a minimum wage, but did not set its level. The economy of the country is in very poor shape.

Wages for any jobs that are funded by Kosovo’s own governmental budget are barely sufficient to support a family. This situation precipitated the October teachers’ strike, which over 95% of SBASHK members in primary and secondary schools supported to achieve payment of agreed salary increases and the implementation of the right to collective bargaining.

EI member organisation / Membership:
The Union of Education, Sciences and Culture of Kosova (UESCK/SBASHK) / 27 000

Data for Serbia, including Montenegro and Kosovo.
The Federal Republic of Yugoslavia (FRY) was admitted as a member of the United Nations (UN) on 1 November 2000. Following the adoption and promulgation of the Constitutional Charter of Serbia and Montenegro by the Assembly of the FRY on 4 February 2003, the name of the State was changed to Serbia and Montenegro. Serbia and Montenegro includes the semi-autonomous region of Vojvodina and, within its physical boundaries, the territory of Kosovo. Under a decision of the UN Security Council in June 1999, Kosovo was placed under the UN Interim Administration in Kosovo (UNMIK). In May 2001, UNMIK promulgated the Constitutional Framework for Provisional Self-Government (PISG) in Kosovo, general elections were held in November 2001 and a 120 member Assembly was elected. 100 seats are filled by elected officials of all ethnic groups and 20 seats are reserved for minorities. Under the Constitutional Framework, UNMIK retains responsibility for certain issues.

Because education and labour rights have different legislation in Serbia, Montenegro and Kosovo, the three regions are reported upon separately. They have their own parliaments and, while their education systems have elements in common, they are separately organised and are developing independently under their respective responsible Ministries.
EDUCATION RIGHTS: 870 000 citizens enjoy one of the highest standards of living in the world and both boys and girls receive a free education, which is extended through the university level, including advanced degrees. Citizens also receive a monthly allowance for each child. Over one million foreigners reside in the country, are not entitled to the same social benefits as citizens and must pay fees for education. 74 000 Arab residents, known as bidoon, do not have documentation of nationality and are considered non-citizens. The entire bidoon population lost their access to free education in 1985. A law passed in 2000 allows reconsideration of the status of bidoon on a case-by-case basis.

GENDER PARITY: Women and men attend university in equal numbers. Increasingly, under pressure from the National Assembly, university classes are segregated by gender. In 2002, all first and second year classes were segregated. Women do not have the right to vote or seek election to the National Assembly. A 1999 Amiri decree gave women the right to vote and to stand for election to the Assembly; however, Parliament vetoed the decree. Women do hold some relatively senior non-political positions within some ministries, especially the Ministry of Education. Remuneration of equal pay for work of equal value, as provided in law, is respected in practice. A poll of university students in 2001 showed that 84% of female students and 65% of male students favoured women’s suffrage. The law forbids marriage between Muslim women and non-Muslim men.

ACADEMIC FREEDOM: There is no formal government censorship of university teaching, research, or publication. However, academic freedom is limited by self-censorship: especially if the remarks are perceived as critical of the Amir or offensive to Islam. The Ministry of Education checks books, films, videotapes, periodicals, Internet sites and other imported material and decides if the work is ‘morally offensive.’

CHILD LABOUR: The legal minimum age is 18 years for all forms of work, including part-time work. Employers may obtain permits to employ juveniles between the ages of 14 and 18 in certain trades. The Constitution prohibits forced and bonded labour by children. However, there are reports of young boys being used as camel jockeys, as well as underage girls working as domestic servants. These children generally come from Bangladesh, Sudan and Eritrea.

TRADE UNION RIGHTS: Workers have the right to join unions but freedom of association is restricted by allowing only one union per occupation, and only one federation. The right to organise and bargain collectively is subject to restrictions. The Civil Service Law makes no provision for collective bargaining between government workers and the State. The law limits the right to strike. It requires that all labour disputes must be referred to compulsory arbitration if labour and management are unable to reach a solution. Foreign workers may only join unions after five years residence. Many unskilled foreign workers are treated like indentured servants. Domestic workers are not permitted to either find
or belong to a trade union. The law empowers courts to dissolve unions and seize their assets for violating labour laws. Such decisions can be appealed. The Amir can also dissolve unions by decree. The ILO has long criticised such restrictions and practices. The ILO responded to a government invitation to assist them on ways to improve the labour situation in the country. A new draft code will, if passed, remove the trade union monopoly, and remove several other provisions that infringe international standards. At the ILO’s urging, the government agreed to ratify ILO Conventions 98 and 100, but as at mid-January 2004 they had not ratified the Conventions.

EI member organisation / Membership:
Kuwait Teachers’ Society (KTS) / 12 000
EDUCATION RIGHTS: The Constitution of the Kyrgyz Republic states that education is compulsory and free of charge for the first 9 years. The Law on Education and the Law on Protection of Children’s Rights require that secondary education be free and universal. These laws contradict the Constitutional mandate of 9 years’ compulsory education but were adhered to instead of the Constitution.

Formal schooling begins at age 6. Since independence (1991) and the transition to a market economy real expenditure on education has decreased. Early childhood programmes have been most affected, but all levels of the education system have suffered material and financial hardships. Conditions continue to deteriorate due to an acute shortage of resources and the fact that over half the population lives below the poverty line. Parents with children at public schools are burdened with administrative fees. The government, with international assistance, has established a fund to assist school children from poorer families. A scheme entirely financed by international organisations provides scholarships for some students to study abroad. Although the Constitution designates Kyrgyz as the state language university education is still carried out largely in Russian. This reflects in part the training of the teaching faculty and in part the availability of textbooks. The Kyrgyz National University in Bishkek and the State University in Osh are the main centres of higher education.

GENDER PARITY: The country is reported as having a 97% literacy rate and according to UNICEF the primary school enrolment ratio was 98 percent for both boys and girls and secondary rates were 75% for boys and 83% for girls. There is also parity at the tertiary level. Another report suggests that traditional attitudes towards women are reasserting themselves in rural areas and curtailing educational opportunities for girls. The return to a male dominated society has also meant that women’s health is deteriorating, that women are more likely to suffer domestic abuse and more likely to be homebound without independent income. Reports are surfacing about the forced marriage of underage girls.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment is 18 years. Students are allowed to work up to six hours per day during vacation periods from the age of 16. Poverty and a breakdown in family life have led to larger numbers of children being taken into care or fending for themselves. Save the Children and UNICEF estimate that 7,000 children live on the streets, especially in Bishkek and other urban centres. Children in rural areas are commonly called upon to pick crops on their family farms. The law prohibits forced or bonded labour by children, however, some tobacco fields are located on school grounds, and children are required to participate in the harvest. The income earned goes directly to the schools. Trafficking in girls, mostly to Turkey and the United Arab Emirates, for the purpose of forced prostitution is a problem. There are reports that officials and Russian border guards are complicit in trafficking. Although hampered
by budget constraints the government supports several programmes combating child labour. The National Human Rights Programme for 2002-10 contains provisions aimed at eradicating exploitative child labour. Between 2000 and 2003 at least 46 persons were convicted of offences involving child prostitution, child pornography and the sale and trafficking of children.

**TRADE UNION RIGHTS:** The 1992 Labour Law, and amendments adopted in 1998, provides for the right of all workers to form and belong to trade unions. Strikes are not prohibited. The law recognises the right of unions to bargain collectively. In practice the government sets the minimum wage, and then each employer sets its own wage level. There have been no reports of discrimination against anyone because of union activities. However, under pressure from the international financial institutions the government has started to prepare a new labour code which will reduce workers’ benefits and undermine the role of unions in negotiations by allowing employers to decide salaries and working hours without prior consultation. The Federation of Trade Unions of Kyrgyzstan, the successor to the former official union, remained the only trade union umbrella organisation in the country. In 2001, the most recent year for which figures were available, the Federation had 980,400 members. There was one small independent union. The law recognises the right of unions to negotiate for better wages and conditions. Overall union structure and practice has changed slowly.

**EI member organisation / Membership:**
Trade Union of Education and Science Workers of Kyrgyzstan (TUESWK) / 162 096
EDUCATION RIGHTS: Education is compulsory for 9 years (ages 7 to 16) and free at government schools. Three year os secondary education (ages 16 to 18) are voluntary and also free at government schools. The responsibility for public education is divided between government and municipalities. The state budget covers teachers’ salaries and administrative costs, while school maintenance is covered by the local municipality, which also subsidises school meals for children from poor families. In contrast to the past, current Latvian legislature supports the integration of children with disabilities into public schools. Latvia is an ethnically diverse country, with many minority groups. The main ones are the Russian (27%), the Belarusian (4%), the Ukrainian (3%) and the Polish (2%). Public minority schools, with the instructing in the native language, are an old tradition in the history of the education system. Currently about 74% of compulsory school-age group students receive their education in Latvian, but there are about 140 Russian schools, as well as a few Ukrainian, Belarusian, Jewish, Polish and Estonian ones. However, the level of Latvian language learning in most of Russian language schools is not sufficient for further studies or to work in the country. The integration of Russian language schools into the mainstream education system is considered a major issue. The government policy, since 1999, of introducing bilingual education programmes in all minority primary schools has been successfully implemented, and it is to be followed from 2004 onwards by the introduction of bilingual education in all minority secondary schools. The practical implementation of this second reform has met with some protest from teachers and parents, concerned with quality issues. English is increasingly used as main foreign language and introduced in all schools at 3rd grade. Many private institutions of higher education offer courses in different languages, mainly English and Russian. All secondary level graduates are entitled to sit for centralised exams and enter universities. About 30% of tertiary students are funded by the State, on a competition basis, but the rest of them pay tuition fees. Study credits are available. There are 36 higher education institutions in the country - 20 public and 16 private - over half of them located in the capital, Riga.

GENDER PARITY: Over 60% of students enrolled in higher education are women. The labour code bans employment discrimination and women have the same legal rights as men.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The statutory minimum age for the employment of children is 15. Students may be employed after school at certain light jobs starting at age 13, with parental agreement. Minors may not be employed in work that is hazardous or dangerous to their health or morality nor at night or overtime. Although the enforcement of child labour laws is lax, child labour is rare, but there are reported problems of street children, child prostitution, child pornography and girls trafficking. Recent legislature and practice enforce stronger action against such crimes. The government supports programmes combating the sexual exploitation of children but has not ratified Convention 182.
TRADE UNION RIGHTS: Workers have the right to form and join unions of their own choosing. Protection of the right to organise in the private sector is considered weak by the ICFTU. About 30% of the workforce is organised. Current legislation does not limit the right to strike and workers may bargain collectively. Some improvements to labour laws were made during 2001, taking into consideration ILO Conventions and European Union (EU) directives. Organising and bargaining rights do not apply to civil servants.

EI member organisation / Membership:
Latvian Trade Union of Employees in Education and Science (LIZDA) / 67 328
Lesotho's adult female illiteracy rate is the lowest in Africa and one of the lowest for any developing country. A considerable disparity in education favours girls. Livestock herding by young males takes precedence over education. Herding is considered a rite of passage and a prerequisite to manhood within rural Basotho culture. Women make up over 60% of students enrolled in tertiary education. Nonetheless women are considered minors after marriage and require their husbands' permission to continue activities, such as education.

**ACADEMIC FREEDOM:** Reports do not indicate that the government restricts academic freedom at the country's only university, which is government owned.

**CHILD LABOUR:** The legal minimum age for employment in commercial or industrial enterprises is 15. There are prohibitions against the employment of minors in commercial, industrial or non-family enterprises involving hazardous or dangerous working conditions, but enforcement is very lax. The working conditions for the country's young livestock herd boys are rigorous and occasionally dangerous. The spread of HIV/AIDS has contributed to a rise in child homelessness and abandonment, creating a growing number of street children. A recent UNICEF assessment concluded that child prostitution in Lesotho was poverty-driven.

**TRADE UNION RIGHTS:** Civil servants are banned from forming or joining trade unions though the ban breaches Lesotho's Constitution. They may only form or join associations that have consultative status. Teachers' terms and conditions of employment are standardised. Teachers do not have the right to strike as the government has designated teaching an essential service.
EDUCATION RIGHTS: Liberia is a very poor country that has not recovered from the ravages of civil war. During much of the civil crisis most schools were closed and the care of children widely neglected. A generation of children have grown to adulthood experiencing little more than violence, hunger and homelessness. There are over one hundred under-funded orphanages in and around Monrovia and education is not a priority of the institutions. Over 80% of the population live below the poverty line and families are often requested to provide books, pencils, writing paper, and even a desk for children attending school. In 2001, 1.05 million out of an estimated 1.7 million school-age children were enrolled in some primary or secondary education.

GENDER PARITY: Very few up-to-date statistics are available. A bare majority of adult males are considered literate compared with only 23% of females. In 1998-99, about 20% of university students were women.

ACADEMIC FREEDOM: Reports do not indicate restriction of academic freedom by the government.

CHILD LABOUR: Some 50,000 children were killed during the civil war and many were wounded, orphaned and abandoned. Nearly all children witnessed atrocities and some committed atrocities themselves. The UN estimates that between 15,000 and 20,000 children, some as young as six years old, participated in the conflict. In a country where there has been up to 85% unemployment in recent years, there is little scope for child labour in the formal sector and in the informal sector children work for little or no pay, often along their parents in subsistence agriculture.

TRADE UNION RIGHTS: Under the Constitution workers have the right to associate and join trade unions. With the exception of civil servants, workers also have the right to organise and bargain collectively. The law provides for the right to strike. In September 2002 teachers in the greater Monrovia school system went on strike and refused to start the autumn term without some salary payment, which was nine months in arrears. The following month the Minister of Education announced that one-month’s salary and a bag of rice would be paid to teachers so that classes could begin. The teachers accepted the offer on condition that all back wages would be paid in 2003.
EDUCATION RIGHTS: Primary and secondary schooling is compulsory from age six or seven until age 16. In 2000-01, 10% of school-age children were not in school. The two most common reasons for non-attendance were disinclination and poverty.

Teaching at state funded primary and secondary levels is in the Lithuanian language, or bilingual in those municipal schools attended mostly by minority children. Minorities make up 20% of the population, mostly Poles (10%) and Russians (8%), and minority education in general is not seen as an important issue, except for some special groups like the Roma. The number of children in separate special schools has fallen substantially since independence as a result of stricter criteria for what constitutes disability. There has been an increase in the number of children with special needs who attend normal schools. Another positive development has been access to education for those with the severest disabilities, for whom there was previously no provision whatsoever. As part of its Programme for the Integration of the small Roma population into Lithuanian Society, the government has established a social centre and a community school for Roma.

GENDER PARITY: Girls and boys attend primary and secondary school in equal numbers and women account for 60% of students at tertiary level. Since June 2002 the Law on Equal Opportunities provides for positive discrimination towards women and forbids indirect discrimination. Official policy requires equal pay for work of equal value, but women continued to face discrimination. Women make up about one-half of the employed population but receive on average pay that is 81.4% that of male employees. Women are underrepresented significantly in some professions, businesses and management. Recent surveys suggest that conservative views about the role of women in work are declining. The Office of the Ombudsman for Equal Opportunities of Women and Men is an independent agency, accountable to the parliament, which oversees the implementation of the law. The ombudsman also has some enforcement powers.

ACADEMIC FREEDOM: Universities are self-governing and have their autonomy guaranteed by law. Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The legal minimum age for the employment of children without parental consent is 16 years. With the written consent of parents, it is 14 years. Trade union representatives assert that the mechanisms for monitoring minimum age legislation are rudimentary. Complaints about infringement of child labour regulations generally are referred to local prosecutors to investigate and take legal action to stop violations. Available evidence suggests that child labour in general is rare, but child prostitution, child pornography and trafficking in girls for the purpose of forced prostitution are problems. Recent changes to the Penal Code provide for imprisonment for exploiting children for the production of pornography. Several thousand children reportedly lived «on the street.» As many as 60 NGOs identify chil-
dren at risk and help with the rehabilitation of exploited children. Trafficking in girls for the purpose of prostitution is a problem which the Republic is also addressing. The Criminal Code now prohibits trafficking.

**TRADE UNION RIGHTS:** The Constitution and the Law recognise the right of workers to form and join trade unions. Similarly, the right to collective bargaining is legally provided for. In May 2002 the government, trade unions, and employers’ associations signed an agreement on tripartite co-operation that provides for regular meetings to discuss issues related to the implementation of labour laws and the prevention of illegal labour. Workers may take strike action.

El member organisation / Membership:
Lithuanian Teachers’ Union (LIAPS) / 3 000
Lithuanian Education Employees Trade Union (LEETU) / 17 946
EDUCATION RIGHTS: Early childhood education schemes date from the 1860s. One hundred and forty two years later enrolment is optional at age three and compulsory at age four. Statistics for the year 2000, show that 10 700 children attended kindergartens and were under the care of 749 teachers. The primary and secondary education system is amply funded. Attendance is free and compulsory until age 16. Six years of primary schooling is followed by three years of lower secondary education. The upper secondary education, which is also free, takes another four years and is normally completed at age 19. German, French and English are widely taught in addition to Letzebuergish. The Institute for Educational and Social Studies provides training for teachers and the Luxembourg Centre for Higher Education prepares students for advanced tertiary education in adjacent countries. The majority go to Belgium and France. The government provides some financial assistance for post-secondary education.

GENDER PARITY: Fifty percent of post-secondary enrolments are women. The law mandates equal pay for work of equal value, but in fact women are paid 20 to 30% less than men for comparable work. The Ministry for the Promotion of Women had a mandate to encourage a climate of equal treatment and opportunity. The government cites the interruption in the careers of women caused by childbirth and their maternal roles as one reason for the disparity. Women constitute 33% of the work force.

ACADEMIC FREEDOM: Reports do not cite any government restriction of academic freedom.

CHILD LABOUR: The law prohibits employment of children under the age of 16. Apprentices who are 16 years old must attend school in addition to their job training. Adolescent workers under the age of 18 have additional legal protection, including limits on overtime and the number of hours that can be worked continuously. The Ministries of Labour and Education effectively monitor the enforcement of child labour and education laws. The government passed a comprehensive law in 1999 dealing with the sexual exploitation of children. The law deals with this worst form of child labour in the Grand Duchy but also extends the country’s criminal jurisdiction over citizens and residents who engage in such activities abroad. No instances came to the attention of the authorities during 2002. The Ministry for the Advancement of Women aims to establish a transborder network with German, French and Luxembourg NGOs for the protection of the child victims of trafficking.

TRADE UNION RIGHTS: About 57% of the workforce is unionised. The law provides for and protects collective bargaining. The Constitution provides all workers with the right to strike, except for government workers providing essential services. Legal strikes may occur only after a lengthy conciliation procedure between the parties.
EDUCATION RIGHTS: Education is compulsory through the 8th grade, or age 15 or 16. Some children do not access the education system at all. The government’s reckoning is that 5% of school-age children are not enrolled. A disincentive for the poorest families is that, although primary and secondary education is free, students must provide their own books and materials. Macedonian, a Slavic language with Greek and Turkish influences, is written in the Cyrillic alphabet with some modifications. It is the mother tongue of two-thirds of the population. The Constitution protects the cultural, linguistic and religious identity of Macedonia’s minorities. The Roma communities, however, are not considered a distinct ethnic group and schooling is not provided in their language. Recent statistics reveal that 50% of Roma children who do start school drop out by the 5th grade. A pilot scheme initiated by an NGO promotes education among Roma. Its early-childhood services and «catch-up» classes for both primary-age Roma children and their families are in Macedonian. The state supports primary education for Albanian, Turkish, Serb, and Vlach minorities in their respective languages. The children of ethnic Macedonian-Albanians, more than one-fifth of the population, receive eight years of education in Albanian-language schools. Less than 40% of Macedonian-Albanian students go on to secondary school, partly because of the lack of available classes in Albanian at the secondary level and partly because many rural families see no need to educate their children beyond the 8th grade. At the university level, ethnic minorities remain underrepresented. For some years an Albanian-language university functioned in Tetovo, although its diplomas were not officially recognised. In 2001 the South East European University (SEEU), a private multi-ethnic and multi-lingual institution was established in Tetovo. SEEU was created by the Organisation for Security and Co-operation in Europe (OSCE) and received support from various international donors. SEEU is an accredited institution. On 21 January 2004, the government of the Republic voted to formally recognise the Albanian language University in Tetovo and approve its annual funding by the State. The Prime Minister supported the resolution, saying that it was part of the Ohrid Peace Accords, and that it removed any excuse by extremists to provoke a new conflict. Some children did not enter the education system at all. The Ministry of Education quoted 95% enrolment, but no other official data was available on children’s school attendance, or the number of children who did not have access to education. In September 2002, around 200 ethnic Albanian students boycotted school for several weeks to protest perceived inequities in school facilities for ethnic minorities. In October 2002, approximately 200 ethnic Macedonian students boycotted classes at two public schools because memorials to an Albanian fighter were placed in front of ethnically mixed schools. Despite continued international community pressure to remove the memorials, they remained with the complicity of local ethnic Albanian leaders. On 16 December 2002, the ethnic Macedonian students of six Tetovar villages began temporarily attending classes in the Siricino Regional school. The Helsinki Committee cited students as victims of the politicised atmosphere in schools. Children born in the country to parents with unresolved citizenship status are not given citizenship. Although these children were permitted to attend school, UNICEF and NGOs reported that they were not graded or given certificates of completion of studies.
GENDER PARITY: Primarily due to traditional and religious constraints, girls in rural communities and girls from the ethnic Albanian community are more likely to be withdrawn from school before completing compulsory education. It is government policy to encourage students from minorities, particularly girls, to continue their education through secondary school. Women make up about 55% of tertiary level students.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment of children is 15 years. Children may not legally work nights and may not work more than 40 hours per week. Child labour, including begging, is a problem. There are a number of NGOs providing care and shelter for abandoned children and a number of projects to help prevent children from engaging in child labour. The trafficking of girls for prostitution and pornography occurs. A new law criminalises trafficking.

TRADE UNION RIGHTS: The Constitution provides for the right to form trade unions and implicitly recognises employees’ right to bargain collectively. The right to strike is also a constitutional right. During 2002 EI participated in a meeting between its affiliate, SONK, and the Minister of Education in an effort to find a compromise on teachers’ salaries. SONK led a nine-day strike and demonstrations in May 2002 to protest salary levels, which were often below the poverty line. The Minister agreed to recommend to the government that teachers’ minimum salaries be substantially improved. On 26 January 2004, SONK again undertook strike action to force the government to implement the provisions of its collective agreement.

EI member organisation / Membership:
Trade Union for Education, Science and Culture in the Republic of Macedonia (SONK) / 18 750
EDUCATION RIGHTS: Malawi ranks as one of the world’s least developed countries. Improving access to education and providing adequate school facilities is a major challenge for the government. Primary education in Malawi is free and universal but it is not compulsory. Only a minority of children finish primary school, which runs from age 6 to 13. There are several schools and training centres, both public and private, assisting children with disabilities. The United Nations High Commissioner for Refugees (UNHCR), NGOs and the government collaborate to provide children in refugee camps with access to education. Most of the refugees are from the Democratic Republic of Congo, Rwanda and Burundi. The University of Malawi has five campuses scattered across the country.

GENDER PARITY: The majority of adult women are illiterate. Girls are now entering the 1st grade in the same proportion as boys but drop out of school more frequently and earlier than boys. By the final year of primary school about 42% of pupils are girls. This is a gain of 13% over the report in the 2001 edition of the Barometer. The most recent figure available shows that 39% of secondary school entrants are female. About 25% of female secondary school graduates proceed to higher education.

ACADEMIC FREEDOM: Reports do not indicate that the government restricts academic freedom.

CHILD LABOUR: The law prohibits the employment of any child less than 14 years of age. But it is common to find young girls working as domestic servants, receiving little or no wages, and living in circumstances amounting to indentured servitude. According to the ICFTU, child labour and bonded labour involving entire families are widespread on tobacco and tea plantations. Apart from the legal age of consent (14) there is no specific protection for children from sexual exploitation, child prostitution or child pornography. The myth that children are HIV negative contributes to their sexual exploitation. Several NGOs are working to reduce the problem of street children and child beggars by providing alternative care. The problem is aggravated by the increase in orphans whose parents died from HIV/AIDS related illnesses. By 2002 it was estimated that 23% of children under age 15 had only one parent, and that 16% of the same age group were orphans.

TRADE UNION RIGHTS: Workers, including teachers, have the legal right to form and join trade unions and to bargain collectively. Registered unions have the right to take strike action. The ICFTU reports that trade union rights are resisted by some employers, and that the government is lax in upholding labour laws. Although the law prohibits anti-union discrimination, according to the ICFTU, District Education Officers were fired because they were members of EI affiliate, TUM. In October 2001, up to 50 000 teachers began a series of work stoppages and sporadic strikes in protest at the differences between rural and urban salaries and benefits. A satisfactory settlement was reached but the Minister of
Education warned that punitive action would be taken against any teacher who started a strike once the government implemented the new allowances.

EI member organisation / Membership:

Teachers’ Union of Malawi (TUM) / 13 875
EDUCATION RIGHTS: Malaysia’s strong commitment to an educated society is reflected in the size of the national budget allocated to education. Pre-school programmes have developed during the last twelve years and compulsory and universal education is provided for children between the ages of six and 15. It is free to age 18. 98% of primary age children are in school and 82% of eligible children are enrolled at secondary schools. In recent years the government has improved educational opportunities for children with disabilities and special needs. At Primary school pupils may be taught in their mother tongue; principally, Bahasa Melayu (Malay), Mandarin Chinese, or Tamil. English is introduced as a compulsory second language. Nearly all teachers are fully certified. In January 2003, the Minister of Education confirmed that admissions at all 17 public universities would be determined solely on the basis of merit. The announcement ended a quota system which generally favoured ethnic Malay students over Chinese Malaysians and those who trace their origins to the Indian subcontinent.

GENDER PARITY: Government policy supports women’s rights and promotes equality of education. Reflecting past disparity, adult women are more likely than men to be functionally illiterate. But girls and boys attend primary schools in equal numbers and females are likely to graduate from secondary school in greater numbers than males. The total intake of women into the nation’s universities in 1970 was only 29%. It was 51% in 2002. In recent years, more than half of university graduates in scientific and medical fields are women. Women are prominent in the civil service and hold a number of high ranking positions.

ACADEMIC FREEDOM: University faculty and students are required to sign a pledge of loyalty to the government and The Universities and University Colleges Act (UUCA) restricts freedom of association. Students who take part in activities perceived as anti-government may face disciplinary actions, including expulsion. Student associations and campus demonstrations must be approved, usually by university vice chancellors. The UCCA prohibits student political activity but pro-government student activities tend to be tolerated. Self-censorship prevails at both public and private universities. Academics at public institutions depend on the government for promotion and funding. The faculty at private universities fear that speaking out on sensitive issues may result in the revocation of their colleges’ licenses. During 2002, a secondary school teacher was charged with sedition after setting an examination which questioned judicial independence in the Federation.

CHILD LABOUR: An Act went into force in August 2002 giving effect to the main principles of the UNCRC. The Act lays down severe punishments for child abuse, molestation, neglect, or abandonment. A 1966 Act prohibits the employment of children younger than the age of 14. It permits some exceptions, such as light work in a family enterprise, work in public entertainment, work performed for the government in school or training institutions, or work as an approved
In no case may children work more than six hours per day, more than six days per week, or at night. These legal provisions are enforced. Child labour on agricultural estates, and in small factories has largely been replaced by foreign workers and it is government policy to eliminate child labour. Malaysia is a source, transit point and destination for trafficking in girls for sexual exploitation. The government assists in the rehabilitation or repatriation of victims and prosecutes traffickers vigorously.

**TRADE UNION RIGHTS:** Civil servants and teacher unions belong to CUEPACS, a national federation. The government continued through 2002 to ignore ILO requests for specific information on the numbers and categories of civil servant employees covered by the right to organise. Public servants do not have a right to bargain collectively. Although strikes are legal, the right to strike is severely restricted. The law prohibits strikes by ‘essential services’ which includes sectors not normally deemed essential under ILO definitions. Specific areas relating to hiring and firing, transfer and promotion, dismissal and reinstatement and pensions are excluded not only from collective bargaining but also from the definition of a dispute.

**EI member organisation / Membership:**
- Malaysian Association of Education (MAE) / 2340
- National Union of the Teaching Profession (NUTP) / 30000
- Sabah Teachers’ Union (STU) / 2504
- Sarawak Teachers’ Union (STU) / 8000
EDUCATION RIGHTS: Mali, one of the world’s poorest countries, is heavily dependent on foreign aid. 65% of the country, where 75% of the population live below the poverty line, is desert or semi-desert. Basic primary education is, in principle, free, universal and compulsory up to the sixth grade, but only between 43 and 56% of children (approximately 46% of girls) receive any formal schooling. Parents must pay for uniforms and materials. There are insufficient schools and insufficient teachers, especially in rural areas.

GENDER PARITY: The adult female literacy rate is only 12%. Women have equal rights according to law but illiteracy prevents many women from taking advantage of their rights, such as property rights. Secondary school enrolment for young women improved from 8% to 10.3% in the five-year period 1995-2000. A government plan of action for the period 1996-2000 was designed to reduce inequalities between men and women in such areas as education. Although the programme was not completed within the time-scale, the Ministry for the Promotion of Women, Children, and the Family started a second 4-year action plan in 2001. There are small numbers of women in the National Assembly, and women serve on both the Supreme Court and the Constitutional Court. According to domestic NGOs, approximately 95% of adult women have undergone female genital mutilation (FGM). There are no laws against the practice, and no proposals to legislate for its prohibition. The government does support educational efforts opposing FGM, but such efforts have developed slowly.

ACADEMIC FREEDOM: Reports do not cite government restrictions of academic freedom.

CHILD LABOUR: On 5 June 2002, the government enacted a new ordinance enumerating the rights of children and establishing new government positions in each region, that of child «delegates», whose role is to safeguard the rights and interests of children. The new law also created special courts for children and specified protections for children in the legal system. There was no juvenile court system. Children between the ages of 12 and 14 may work up to 2 hours per day during school vacations, with parental approval. Children between the ages of 14 and 16 may work up to 4.5 hours per day with the permission of a labour inspector, but not at night or on holidays. Young persons between the ages of 16 and 18 may work in jobs that are physically undemanding; boys could work up to 8 hours per day and girls up to 6 hours per day. Apprenticeship, often in a family member’s or a parent’s type of work, begins at an early age, especially for children unable to attend school.

Regulations controlling the work that may be undertaken by children are often ignored in practice. The Labour Code, which specifically denounces child labour, has no effect on the vast number of children who work in rural areas, helping with family farms and herds, and in the informal sector. Child labour predominates in the agricultural sector, and...
to a lesser degree in crafts and trades apprenticeships and cottage industries. Laws against unjust compensation, exces-
sive hours, or capricious discharge do not protect these children. The National Campaign against Child Labour in Mali,
led by IPEC-Mali, is responsible for investigating abusive forms of child labour. Government resources include inspec-
tors, NGOs, and IPEC funding. Although Malian law specifically prohibits trafficking in children, there are reports of
Malian children being kidnapped, and sold into slavery and bondage in Côte d’Ivoire. An estimated 15 000 Malian chil-
dren between the ages of nine and 12 have been sold into forced labour on cotton, coffee, and cocoa farms in northern
Côte d’Ivoire over the past few years; an even greater number were forced into domestic service. These children, victims
of organised networks of traffickers, may be forced to work 12 hours per day without pay, and are often abused physically.
During 2001 and 2002 hundreds of trafficked children were repatriated to Mali and a number of traffickers arrested
and charged with offences.

TRADE UNION RIGHTS: The Constitution and the Labour Code specifically provide for the freedom of workers
to form or join unions and protect freedom of association. Following the move to multiparty democracy, multiple unions
emerged, particularly in the education sector. Virtually all salaried employees are organised. Workers have established
independent unions for teachers, magistrates, health workers, and senior civil servants, and most are affiliated with the
National Union of Malian Workers federation (UNTM), which has maintained its autonomy from the Government.
Unions are free to associate with and participate in international bodies. The growth of independent unions led to more
direct bargaining between these unions and their employers. However, wages and salaries for workers belonging to the
UNTM unions are set by tripartite negotiations. Civil service salary levels are pegged nationally to an index established
by the Government. These negotiations usually set the pattern for unions outside UNTM. The Constitution provides for
the right to strike, although there are restrictions. For example, civil servants and workers in state-owned enterprises are
required to give 2 weeks notice of a planned strike and enter into mediation and negotiations with the employer and a
third party, usually the Ministry of Labour. During 2002, two teachers’ strikes occurred, one by university lecturers and
another by primary school teachers. These strikes were settled within a few days.

EI member organisation / Membership:
Syndicat National de l’Éducation et de la Culture UNTM (SNEC/UNTM) / 8 711
EDUCATION RIGHTS: Education is free and compulsory for children between the ages of five to 16 and is well funded. Most children attend early childhood classes from age three. The Government and the Catholic Church participate in a foundation that finances Catholic schools. Approximately 30% of schools are run by the Church. There are also a number of fee-paying private schools. Students in government schools may opt out of instruction in Catholicism. It is general government policy to promote the integration of children with disabilities into mainstream schools. There is a school for the small Islamic community. About 60% of students continue their education and training beyond the school minimum leaving age. The University of Malta (founded 1592) offers courses in many disciplines and has a prestigious medical school. University students receive a monthly stipend and may work during the summer vacation.

GENDER PARITY: Girls are not disadvantaged in the education system and at the tertiary level females make up approximately 55% of the total number of students.

ACADEMIC FREEDOM: Despite the fact that there is some backing from private companies and banks and that, under the Constitution, the Catholic Church is the state religion, academic freedom at the University of Malta is not considered compromised or restricted.

CHILD LABOUR: The law prohibits employment of children younger than age 16. The law is generally enforced but some employment of underage children during summer school recess is tolerated, especially as domestics, restaurant kitchen help, vendors or in family businesses.

TRADE UNION RIGHTS: Workers have the right to associate freely and to strike. There are 38 registered trade unions, representing some 63% of the workforce. Workers are free in law and practice to organise and bargain collectively. Unions and employers meet annually with government representatives to work out a comprehensive agreement regulating industrial relations and income policy. Under the Industrial Relations Act, the responsible minister may refer labour disputes either to a government-appointed body consisting of government, employers and employee groups or to binding arbitration. The International Labour Organisation (ILO) has pointed out for over 20 years that a provision of the Act that permits compulsory arbitration to be held at the request of only one of the parties is in contravention of Convention 87.
EI member organisation / Membership:
Malta Union of Teachers (MUT) / 2 500
EDUCATION RIGHTS: Mauritius attracts considerable foreign investment and has one of Africa’s highest per capita incomes. Since independence in 1968, the country has developed from a low-income agriculturally based economy to a middle income diversified economy with growing industrial, financial and tourist sectors. Mauritius has offered free education through the post-secondary level since 1988. The government’s commitment to provide every child of three years and above with access to early childhood education has been achieved. As from 2003, education is compulsory to age 16. This reform involved the extension of existing schools, an extensive building programme, and the elimination of entry examinations as a prerequisite to secondary education. Statistics in the 2003 Education For All Global Monitoring Report show that in 2000, 94.8% of boys and 95.5% of girls of primary school age were in school. Some 65% of secondary age students were in school. The literacy rate and school attendance on the island of Rodrigues, which seeks autonomy, are below the national average. The principal institution of higher education is the University of Mauritius. Other post-secondary institutions include a teacher training college and the Mauritius College of the Air, which broadcasts classes. Tertiary enrolments have gone up by nearly 70% since the Barometer’s first report in 1998.

GENDER PARITY: Despite some residual social discrimination, women have equal access to education and account for 57% of enrolments in higher education. Enrolments in secondary school in 2000 showed 65% of girls, compared to 63% of boys. 44% of primary school teachers were women.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The legal minimum age for employment of children is 15 years. Prior to the recent reforms, children unable to attend secondary schools often sought apprenticeships in the trades. The Ministry of Labour carries out frequent inspections to enforce the minimum age for employment. Even before the expansion of the education system Mauritius had by far the lowest level of child labour in sub-Saharan Africa. The trafficking of Madagascan children for prostitution, as reported in the 2nd edition of the EI Barometer, appears to have been ended. Child labour is common on Rodrigues (population 37,000), an isolated community some 580 km north-east of the main island. Children involved in prostitution and pornography are considered victims, whereas adult clients may be prosecuted according to law. In December 2002, the government published a five-year plan of action to combat the problem.

TRADE UNION RIGHTS: The Constitution explicitly protects the right of workers to associate in trade unions, and there is an active trade union movement. Wage setting by the government in the state sector undermines free collective bargaining. The Industrial Relations Act imposes a 21-day cooling off period before any strike can begin, and the Labour Ministry may order that the case be taken before the industrial court for binding arbitration. Furthermore, the IRA per-
mits the government to declare any strike illegal if, in its opinion, it ‘imperils the economy.’ The government has begun a labour law reform in Cupertino with the ILO, but no new legislation has yet come into force. In 2002, to make a strong united challenge to the government, the GUT and four other organisations of teachers, head teachers and inspectors formed the Common Front of Education. The government had refused to make public the Sewraz Report recommending improvements to teachers’ salaries and conditions and relativity between primary and secondary teachers.

El member organisation / Membership:
Government Teachers’ Union (GUT) / 4 398
EDUCATION RIGHTS: Since 1992 nine years of schooling have been compulsory. The federal government, which funds public schools, made parents legally liable for their children’s attendance. Several government programmes promote child welfare under the umbrella title «progresa.» One progresa programme provides financial assistance for poor families to ensure their children obtain an education. The programme, introduced in 1999, was so successful that by 2001 it was expanded, bringing an additional 763,000 families into the project. Nearly 75% of all primary public schools are located in rural areas. Rural schools are less well developed than those in the major cities and often do not cover the full primary cycle. Thirty percent of youths aged from 15 to 20 attend educational institutions. The General Education Act states that the language of instruction shall be in Spanish, ‘without prejudice to the protection and promotion of indigenous languages.’ Statistics suggest that the majority of the indigenous population speak only their native tongue, that they suffer from a higher rate of illiteracy than the general population and a lower rate of school attendance. Some indigenous communities have set up their own schools and teacher-training institutions to promote and protect their language, culture and way of life. Since the 2nd edition of the EI Barometer, Mexico has ratified Convention 169. As a result new laws are proposed which will provide indigenous peoples with additional rights. The law changes are highly controversial. Twenty-seven of thirty one states have laws in place that provide access to public and private schools for disabled students. Of the more than 50 universities in the country, one-fifth are located in Mexico City.

GENDER PARITY: In most areas of the country males and females attend primary, secondary, and tertiary levels of education at similar rates. Trafficking of women and girls is a continuing problem as is domestic violence.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The law sets the minimum legal work age at 14. Minors under 16 may work only limited hours, with no night or hazardous work. Enforcement is reasonably good in export industries and those under federal jurisdiction, but is inadequate in small companies and in agriculture and construction. A 2000 report published by UNICEF and NGOs estimates that 3.5 million children between six and 18 work regularly. Free transport has facilitated internal migration for seasonal agricultural workers from southern states to the north. Approximately 1.5 million children work in the agricultural sector. There are an estimated 40,000 street children in Mexico City and 150,000 nationwide. The government and various NGOs have introduced educational programmes to protect the rights of children and to instil intergenerational respect for human rights. During 2002 a programme called «open your eyes, but don’t close your mouth» was started to encourage citizens to denounce the worst forms of child labour, especially child prostitution and child pornography. In December, the President unveiled a seven-year programme designed to help Mexico’s indigenous children, the children of rural families who have moved to the cities, disabled children and street children. The Congress has
also passed a number of protective laws that reflect the United Nations Convention on the Rights of the Child (UN CRC). Trafficking of children is a problem and includes the kidnapping of 18,000 Mexican children annually.

**TRADE UNION RIGHTS:** About 25% of the total workforce are unionised, mostly in the formal sector. The public sector is almost entirely organised. There are certain provisions in Mexican law that limit the rights of public servants to join unions. The ILO continued to criticise the fact that both federal law and the Constitution provide that only one union can be formed in each government agency or state enterprise. The Supreme Court ruled in 1999 that the imposition of a trade union monopoly in the public sector was a violation of the freedom of association as set out in the Constitution. The government has still not brought the law into line with this ruling and despite an undertaking made to the ILO Mexico has not ratified Convention 98. The Mexican Constitution recognises the right to strike, but makes a distinction between State employees and private sector employees. The rights of State employees are governed by the Law on Workers in the Service of the State while those of private sector employees are governed by the Federal Labour Law. Employees in the public service may only call a strike if there has been general and systematic violation of their rights set out in the Constitution. Many education workers are employed through ‘civil contracts for providing professional services’. They may be obliged to sign a declaration to acknowledge that what they signed is not an employment contract. Under these terms, they are not legally permitted to organise or join a union, but can only become members of civil associations, and do not have the right to take strike action or to negotiate collective agreements. In November 2002, members of EI affiliate SNTE from the Michoacán State teaching staff and from the Federal District primary teachers branch held a demonstration in front of the government palace in Mexico City to ask for eight percent of the national budget to be marked for education. The demonstration coincided with a protest organised by agricultural workers, which erupted in violence. The authorities later used this as a pretext to issue warrants against 12 leaders of the SNTE.

**El member organisation / Membership:**
Sindicato Nacional de Trabajadores de la Educación (SNTE) / 1,300,000
EDUCATION RIGHTS: Basic education is free, compulsory and universal for ten years. Schools, however, are underfunded and some charge for materials, although it is illegal to do. As a result, the children of the poorest families are kept at home, which is also illegal. The government acted with local authorities during 2002 to address the problem by providing funds for the affected families to cover the charges. However, the government chose not to deal directly with the issue of the illegal charges. UNESCO’s noted that in 1996 the Republic of Moldova was ranked second in the world for public expenditure on education as a percentage of GNP. Compulsory education consists of a preparatory year, four classes of primary schooling, and five years of secondary. 40% of children entering the preparation class at age six or seven have had some form of early childhood education. Net enrolment at the 1st grade declined during the last five years of the 1990s from 96 to 78%. After independence Moldova switched to the French-inspired Romanian education model, and the system invested in eliminating political doctrines, excessive centralism and paramilitary training and focused on curriculum changes, teaching, and replacement texts. The poorest ethnic group in the country is the Roma community. As there has been no recent census in Moldova only guesses and vague estimates of the size of the Roma population can be made. The government estimate is under 12 000. Other estimates range from 20 000 to 200 000. The government estimate would explain why there is such a small number of Roma pupils at school. An estimate closer to 200 000, on the other hand, would confirm that the vast majority of Roma children never attend school. Roma who do go to school are usually led to segregated facilities with even fewer resources than the rest of the country’s class rooms. The Constitution provides parents with the right to choose the language of instruction for their children. In December 2001, the President implemented a decree that had been issued in August of that year making Russian a compulsory subject starting in the second grade. The Popular Christian Democratic Party organised protests against this decree and other policies of the government. This led to the cancellation of the decree.

GENDER PARITY: Of approximately 103 000 tertiary students, 57 000 are female. Women and men are equal under the law and, in practice, women receive equal pay for work of equal value. Women make up approximately 50% of the workforce and are a significant group of managers in the public sector and in banking. The government provides extended paid maternity leave.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: The minimum age for unrestricted employment is 18 years. Employment of those aged 16 and 17 is permitted under special conditions, including shorter workdays, no night shifts, and longer vacations. Child labour is not used in industry, although children living in rural areas sometimes assist in the agriculture sector. An estimated 1 000 children are living on the streets of Chisinau and in other large urban areas. Trafficking in girls is a very serious
problem. ILO Convention 182 entered into force in June 2003 and consequently the Criminal Code provides for heavy prison sentences for persons convicted of trafficking in children and for involving children in the worst forms of child labour. This is a major development. Previously the Code made no mention of such issues.

**TRADE UNION RIGHTS:** Virtually all employed adults are members of a union. The law provides for collective bargaining. Government workers do not have the right to strike. Teachers took strike action on a regional basis during 2002 and there was a major one-day strike by teachers, doctors and cultural workers in Chisinau in March. The ICFTU’s 2003 Annual Survey reported that the state «has set out to prevent the organisation of its workers into trade unions, particularly in the education sector». Regional union structures are still weak as a result, and teachers have had difficulties in collective bargaining and in concluding collective agreements.

El member organisation / Membership:
Public Education and Science Trade Union (PESTU) / 168 980

Transnistria, in the north of the country, has a mixed Russian-Moldovan-Ukrainian population, and demands full independence: the region rejected autonomous status proposed by the 1994 Moldovan Constitution and declared itself the "Dniester Republic." The autonomous region of Gagauzia, in the south of the country, has a predominately Turkophone Orthodox Christian population. The region has declared itself the "The Republic of Gagauzia." The following entry applies to the Republic of Moldova.
EDUCATION RIGHTS: Mongolia’s high rate of literacy is in jeopardy. A large segment of the country’s population is youthful. Although committed in principle, the government is unable to keep pace with the educational and social needs of all of Mongolia’s children. The transition from communism to a market economy has been accompanied by a rise in unemployment. In 2002 the economy stagnated and 36% of the population live below poverty line. The government purports to provide all children with free compulsory public education from age 8 to 16, but some children are unable to attend school. There is a severe shortage of teachers and teaching materials at all levels. In 2001, a separate facility for juvenile offenders was established in the capital, Ulaanbaatar, and was designated as a training centre. National and foreign NGOs distribute textbooks and provide English-language instruction and training in computers and trades for this group. In the vast countryside, young offenders are detained in adult facilities and are much less likely to receive skills training and other positive rehabilitation. The Mongolian State University is in Ulaanbaatar. Other institutions of higher learning include schools of medicine, arts and culture, finance and economics, teacher-training, and technical and agricultural colleges.

GENDER PARITY: By law girls have equal access to education. In fact females are more likely to complete their education than males. In the provinces privatisation has meant that families now own their animals and boys are expected to work the land and tend the livestock. The Education For All (EFA) Global Monitoring Report 2003/4 indicates that in 2000 the primary school net enrolment ratio was 88.8%. Of this 87.1% are boys and 90.6% are girls. In secondary school, only 64% of students were enrolled with a ratio of 57.8 boys and 70.4 girls. Gender disparity is also reflected in enrolment at institutions of higher education where approximately 63% of students are female. Women account for 95% of primary school teachers. There are no legal impediments to the participation of women in government or politics. Women’s organisations seek a greater say in policymaking in a country where they represent half the workforce.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: The law prohibits children under the age of 16 from working. 14 and 15 year-olds may work with parental consent. Those under 18 years of age are not allowed to not work at night, engage in arduous work, or work in dangerous occupations such as mining and construction. Enforcement is limited. In Ulaanbaatar and other urban centres, street children total about 9 000. This figure is more than double the number reported in the 2nd edition of the EI Barometer. The growth in street children reflects social change. Abandonment and lack of parental care, often related to chronic inebriation, has resulted in an increasing number of children supporting themselves, their siblings and sometimes their parents. A third of street children are girls. They are considered vulnerable to sexual abuse. There are 20 shelters, under NGO auspices, providing some care for about 60% of street children. The government uses foreign aid, includ-
ing aid from the Japan Teachers’ Union, to help sustain a network of orphanages. There is anecdotal evidence that girls are trafficked for the purposes of sexual exploitation in Asia and Eastern Europe.

**TRADE UNION RIGHTS:** All workers are entitled to join unions and professional organisations of their choosing. Union membership is decreasing as the economy shifts from large scale state enterprises and increasing numbers of workers become self-employed or work for small, non-unionised firms. Except for those employed in essential services, union members have the right to strike. Most union members are affiliated with the Mongolian Trade Unions Confederation, but some are affiliated with the newer Association of Free Trade Unions. In practice, wages and other conditions of employment are set mainly by the employer, whether that employer is a private firm or the government.

EI member organisation / Membership:
Mongolian Enlightenment Federation of Trade Unions (MEFTU) / 15 000
EDUCATION RIGHTS: Montenegro has a population of about 650,000. It devotes around 30% of its revenue to education. Nursery and kindergarten programmes are available for children from ages one to six years. There are approximately 77,000 pupils aged from seven to 14 attending 164 primary schools, and over 30,000 students enrolled at the Republic's 44 secondary schools. The University of Montenegro, a public institution in Podgorica, has over 10,000 students. Since 2000, the Ministry of Education has focussed on reforming the education curriculum and syllabus at all levels. Although Montenegro's teachers are qualified, facilities are in need of upgrading and there is a shortage of materials. Textbooks are not free. The ethnic composition of Montenegro is relatively homogeneous compared to the Republic of Serbia, but ethnic Albanians, Bosniaks, Croats and Roma live there. Societal discrimination against religious and ethnic minorities is reported to be a continuing problem, particularly with the Roma. Ethnic Albanian children have access to instruction in their native language and the Albanian community has chosen to study the Montenegrin curriculum in the Albanian language. Some Albanians criticised the government for not developing a curriculum in which Albanians could learn about their ethnic culture and history. Most Roma children received little or no education beyond the primary school level. Roma internally displaced persons (IDPs), largely from Kosovo, live in collective centres and scattered settlements throughout the country. They often lack identity documents that would give them access to basic services.

GENDER PARITY: Boys and girls have equal access to education. Women make up 52% of students enrolled in higher education. Although women still do not have a status equal to that of men, there are increasing of women judges and many women in fields such as law, science and medicine. In rural areas among minority communities women do not always have the right to control property. Women are active in all aspects of life in Montenegro and are found in human rights organisations. Trafficking of girls for the purpose of prostitution is a growing problem.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR:

TRADE UNION RIGHTS: Freedom of association and the right of collective bargaining are guaranteed, but collective bargaining remains at a rudimentary level. Negotiations generally centre on advancing the needs of a specific group of workers rather than on rights for all workers, job security, high unemployment and the weak economy impeding the collective bargaining power of the workers. This situation gives employers increased power to set wages and working conditions, as workers compete for relatively few jobs. Strikes were frequent during the year, primarily caused by the economic situation. The economic transition from a state-owned to a market-oriented economy continued to suffer from...
delay. Montenegro’s strategy for privatisation has been to put a regulatory framework in place before going ahead in a piecemeal fashion. A strike by teachers lasted for nine months in 2002. Strikes in Serbia and Montenegro consist of cutting class time and legally this can reduce the classes from 45 to 30 minutes each. The lengthy strike saw classes reduced to 25 minutes. Mediation was required to reach a settlement of the dispute over salaries.

EI member organisation / Membership:
Independent Union of Education, Science, Culture and Sport of Montenegro (ITUESCSM) / 80 131

Data for Serbia, including Montenegro and Kosovo.

The Federal Republic of Yugoslavia (FRY) was admitted as a member of the United Nations (UN) on 1 November 2000. Following the adoption and promulgation of the Constitutional Charter of Serbia and Montenegro by the Assembly of the FRY on 4 February 2003, the name of the State was changed to Serbia and Montenegro. Serbia and Montenegro includes the semi-autonomous region of Vojvodina and, within its physical boundaries, the territory of Kosovo.

Because education and labour rights have different legislation in Serbia, Montenegro and Kosovo, the three regions are reported upon separately. They have their own parliaments and, while their education systems have elements in common, they are separately organised and are developing independently under their respective responsible Ministries.
EDUCATION RIGHTS: Free, compulsory education does not distinguish between boys and girls. The normal compulsory period of education is between four and a half and 16 years of age. Prior to the volcanic crisis there were 11 primary schools. In 1999, there were only two. The Montserrat comprehensive secondary school has reopened and offers Caribbean Advanced Proficiency examinations. Montserratians benefited from the relocation of the regional University of the West Indies School of Continuing Studies to Olveston for the 2002-03 academic year. The United Kingdom has announced a three year $US122.8 million aid reconstruction programme. However, nearly two-thirds of the population remain abroad. Teachers and students living on the island continue to tutor and learn in a stressful environment with an uncertain future.

GENDER PARITY:

ACADEMIC FREEDOM:

CHILD LABOUR:

TRADE UNION RIGHTS:

EI member organisation / Membership:
Montserrat Union of Teachers (MUT) / 102

Montserrat is an Overseas Territory of the United Kingdom. It is one of the more economically dependent remnants of the British Empire with tourism, principally, and some agriculture and fishing the ingredients of its economy. In 1995, the island’s dormant volcanic Soufrière Hills began erupting. The eruptions have continued virtually unabated. They were catastrophic in 1997 and devastated Montserrat physically, socially, and economically. Two-thirds of the resident population of 12,000 was evacuated to neighbouring countries, the United Kingdom or Canada. Only the northern part of the island remained inhabitable. The southern administrative settlement of Plymouth has been replaced by the construction of interim government buildings at Brades Estate between Carr’s Bay and Little Bay on the relatively safe northwest of the Island. Health risks from ash and sulphuric acid affected both teachers and their students. School buildings and children and teachers’ homes were destroyed. In late January 2003 the volcano was considered active and dangerously unpredictable. At least half the island is expected to remain uninhabitable until 2010 and there is the probability that part of Montserrat will remain permanently unfit for habitation. A British Parliamentary bill granting British citizenship to Montserratians was endorsed by the House of Lords in early 2002. Montserratians historically live healthily, enjoy longevity and, by regional standards, are literate and have access to basic public schooling.
EDUCATION RIGHTS: Formidable long-term challenges for the Kingdom include: improving education, attracting foreign investment to boost living standards, and job prospects for Morocco’s youth. In 1999, 19% of the population lived below the poverty line, and 23% were seeking employment. Schooling is compulsory for children between the age of 6 to 15. The government funds the teaching of Islam in public schools. Education reforms stress the use of Arabic in secondary schools. Science and technical courses at university level are taught in French. The failure to transform the university system to meet the increased use of Arabic by students at the secondary school has disadvantaged many students seeking higher education. There are fourteen public universities and numerous other institutions of higher education. A royal edict eight years ago authorising the teaching of Tamazight (Berber) languages in schools has still not been implemented. Some 60% of the population claim Tamazight heritage. There are no laws to assist the disabled acquire government services.

GENDER PARITY: Two-thirds of adult women are illiterate and girls are less likely to be sent to school than are boys, especially in rural areas. Women who do earn secondary school diplomas, however, have equal access to university education and women make up nearly 45% of enrolments at university and other institutions of higher learning. Women account for 40% of teachers in primary schools. As many as 76 NGOs work to advance women’s rights and promote such issues as literacy and access to basic education. The more conservative elements in Moroccan society tend to oppose such developments. Progress is being made in raising public awareness of problems concerning women, children, the handicapped and minorities. Many well-educated women pursue careers but few rise to the top echelons of their professions. The majority work in the industrial, service, and teaching sectors.

ACADEMIC FREEDOM: A president heads the university for a period of 4 years. He is chosen amongst candidates who present a development project for the university, following a call for applications. A committee set up through regulations by the supervising government authority examines these applications and projects and presents three of them to the government authority according to the procedure related to higher employment election. The outgoing president may apply for a second and last mandate. The president of the university chairs the University Board, prepares and facilitates its discussions and receives its proposals and recommendations. He decides the agenda of the Board meetings under the conditions of the University Board statutes.

CHILD LABOUR: In January 2002 the minimum employment age rose from 12 to 15 years. The law change applied to apprenticed children and those in family businesses. The practice of adoptive servitude, whereby families adopt young girls, some 26% of them under the age of 10, to serve as domestic servants has begun to attract public criticism. The government, in concurrence with UNICEF, the ILO, and domestic NGOs has sought to address the problem in general, and
provide educational opportunities in particular. Abandoned children do not enjoy the benefits of citizenship. Military installations and tourist resorts, in particular, attract child prostitution. Teenage prostitution in urban centres has been estimated in the tens of thousands. There is a number of NGOs working to reduce exploitation of street children, help rehabilitate drug-addicted children, and provide shelter and food.

TRADE UNION RIGHTS: During 2002 the government violated worker rights, subjected unions to government interference, restricting the right to strike and the right to form unions, and used security forces to break up strikes. Labour disputes with teachers in 2002 were as a result of failing to implement collective bargaining agreements. The teacher unions struck in November 2001, and their strike was met with police repression, leaving several teachers injured. There is recognition of the right to collective bargaining, but it is inadequately protected. A new strike law has been drafted. If passed, it will ban strikes in essential services. There are very close links between unions and political parties.

El member organisation / Membership:
Syndicat National de l’Enseignement - Confédération Démocratique du Travail (SNE-CDT) / 45 000

FOOTNOTE - Morocco effectively annexed the territory of Western Sahara when it rejected all UN proposals, including a referendum to be held in 2002, as outdated. The exact number of the Indigenous population, the Sahrawis, is currently impossible to estimate: some have moved to Morocco, many others are abroad, while a large number have sought refuge in neighbouring countries, principally Algeria. A number of objective observers connect Morocco’s determined interest in this barren wasteland with the discovery of oil. Life expectancy in Western Sahara is 50. Incomes, the standard of living, and other indicators including education are substantially below the Moroccan level.
## Mozambique

**Republic of Mozambique • Population: 19,607,519**

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>44%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>55.8%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level: m: 54.7 - f: 45.6%</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment: m: 16.6 - f: 11.3%</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>61</td>
</tr>
<tr>
<td>% GNP spent on education:</td>
<td>2.4%</td>
</tr>
<tr>
<td>Life expectancy at birth: m: 37.4 - f: 40.9</td>
<td></td>
</tr>
<tr>
<td>School life expectancy (years): m: 6 - f: 4</td>
<td></td>
</tr>
<tr>
<td>% 2000 cohort reaching grade 5:</td>
<td></td>
</tr>
<tr>
<td>Tertiary students per 100,000:</td>
<td>9,774</td>
</tr>
<tr>
<td>% government expenditure on education:</td>
<td>12.3</td>
</tr>
</tbody>
</table>

### Ratification of ILO conventions:

| 29 | 87 | 98 | 100 | 105 | 111 | 138 | 169 | 182 |

### Education Rights:

Mozambique is a poor country and remains dependent upon foreign assistance for much of its annual budget. The majority of the population live below the poverty line. A legacy of the Portuguese colonial regime was an illiteracy rate of 93%. After independence, the government placed a high priority on education and post civil-war enrolments have reached all time highs. However, this advance was affected badly by internal strife. Although basic primary education is said to be free and compulsory through to the 5th grade, a matriculation fee is charged for each child. This is a significant financial burden for many families. The quality of education suffers due to lack of schools and materials, and a shortage of trained teachers. The purchase of books and school supplies is a huge burden on many families. The 2003 Education for All Global Monitoring Report (EFA) noted that Mozambique hoped to achieve a 70% 1st grade admission rate in 2000. The effects of massive flooding in early 2000 did not help the country’s ability to achieve this ambitious goal. Over the five-year period 1995-2000, 1st grade enrolments improved by 10 to 12% for both boys and girls. Since the 2nd edition of the EI Barometer the number of public secondary schools has increased from 82 to 105 but they are mainly in urban areas. Only four schools nationwide are available for the hearing and vision impaired and for persons with physical and mental disabilities. There are credible reports of corruption in the education system, including bribery or sexual relations with teachers in return for passing grades.

### Gender Parity:

Although only 26% of the female adult population is literate, the access of girls to a basic education has doubled in the last five years. Girls, however, have less access to education above primary level and in rural areas, where over 80% of the population live, and where women are traditionally engaged mainly in subsistence farming and child rearing, there remains little or no opportunity for schooling. Approximately 46% of students enrolled in higher education for the academic year 2002-2003 were women. Despite constitutional provisions for the equality of men and women in all aspects of political, economic, social, and cultural life under the Family and Inheritance law, the husband or father is the head of household, and wives and daughters must obtain male approval for all legal undertakings. Women constitute slightly more than half the population but are responsible for two-thirds of economic production. In the workplace they receive lower pay than men for the same work.

### Academic Freedom:

Reports do not cite any government restriction of academic freedom.

### Child Labour:

In the formal economy, the minimum working age is 18 years. Between the ages of 12 and 15 children are permitted to work under special conditions authorised jointly by the Ministries of Labour, Health and Education. Children between the ages of 15 and 18 may work under conditions that take into consideration health and morality. Young children commonly work on family farms or in the urban informal sector. The law does not specifically prohibit forced and bonded labour by children. Such practices are known to occur in rural areas where children are
sometimes used as labour to settle debts. A growing number of children are forced to work because adult family members have died from HIV/AIDS, which is endemic. There are credible reports of trafficking in women and children to South Africa. The 2nd edition of the EI Barometer estimated there were three thousand street children in Maputo. This number has been reduced to 400, largely as a result of the work of NGOs, which sponsor food, shelter and education programmes for orphans and abandoned children. The government provides information opposing child labour but has not yet ratified ILO Convention 182.

**TRADE UNION RIGHTS:** The Constitution provides that all workers are free to join a trade union, but civil servants are not permitted to take strike action. The law protects the right of workers to organise and engage in collective bargaining. On 5 February 2002, the Centre for Arbitration, Conciliation, and Mediation officially opened. Its purpose is to help settle business-to-business problems through arbitration. The government did not set private sector salaries; existing unions were responsible for negotiating wage increases. The Consultative Commission on Labour meets periodically to negotiate changes in the minimum wage.

**EI member organisation / Membership:**
Organizaçao Nacional dos Professores (ONP) / 5 313
EDUCATION RIGHTS: The highest share of government expenditure (24%) is set aside for education. Since 2000, expenditure has focussed on expanding access to education by constructing new schools and classrooms and on upgrading existing facilities. Children are entitled to 7 years of compulsory primary education, which may be followed by 5 years of optional secondary schooling. The majority of the population live in pronounced poverty. Uniforms, books and boarding costs are a considerable burden for most families. School fees are also requested but not insisted on when parents genuinely cannot afford them. A 15-year United States Agency for International Development (USAID) programme that started in 1995 supports improving teacher qualifications and skills and developing the quality of materials available to them and their students. Namibia has a high rate HIV/AIDS and many teachers are HIV positive. An increasing number of students are orphaned and made vulnerable by the illness. The population of the camp at Osire for refugees and asylum seekers grew to 18,500 during 2002. Primary education is provided for children at the camp although UNHCR reported a shortage of classrooms. Refugee students are now permitted to attend secondary schools outside the camp. Steps are being taken to improve access to education for the indigenous nomadic San people but many San children do not attend school.

GENDER PARITY: Although there are some regional variations, generally there is gender equity at primary school. And more girls than boys graduate from secondary school. Women make up about 55% of students at tertiary institutions.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment is 14 years, with higher age requirements for certain sectors, such as mining, construction, and night work. Ministry of Labour inspectors generally enforce minimum age regulations, but children below the age of 14 often work on family farms. There are reports that children are employed on private commercial farms and as domestic servants where they work under conditions akin to forced or bonded labour. The government supports initiatives to end child labour abuses and tries to respect the obligations that follow from its ratification of Convention 182. Since the end of the civil war in Angola, the recruitment of Namibian children by Angolan rebels has stopped.

TRADE UNION RIGHTS: The Constitution provides workers, including civil servants, with the right to freedom of association, and the freedom to form and join trade unions. Strike action can only arise from specific workers’ interests, such as pay rises. Legislation provides employees with the right to bargain individually or collectively. A new labour law is much less wordy and confusing than its predecessor. The federation to which teachers belong does not have historical ties with the South West Africa People’s Organisation (SWAPO), the party of government.
EDUCATION RIGHTS: Teachers and schools are major targets of the «People's War» launched in 1996 by the leaders of the Maoist United People's Front («Maoists»). This has led to continuous violence throughout the country. Teachers and their students are caught in the centre of the conflict and they are targeted by both the rebels and retaliation from the state. The Maoists use torture, killings, bombings, extortion, and intimidation against public officials and civilians. They abduct children and use them as soldiers, shields, runners and messengers. Between 1996 and 2002 the rebels destroyed at least 25 schools and the Department of Education estimates that 3,000 teachers have been displaced, beaten or murdered. EI’s 2001 Annual Report stated that 100 teachers had been murdered. Maoist groups extort money from private schools. In 2002 they were responsible for the closure of more than 200 private schools. They destroyed a university, bombed an orphanage and a private school. On at least five occasions, strikes effectively closed down nearly all public and private schools across the nation. The International Confederation of Free Trade Unions (ICFTU) reports that during 2002 the insurgents killed at least 52 trade unionists: most of them were teachers. During 2002, the state’s security forces killed four teachers and arrested others considered sympathetic to the Maoist cause. Amnesty International’s (AI) 2003 Report states that a number of teachers and students were arrested in 2002 and several have ‘disappeared.’ EI has made a number of appeals to the government to release teachers held without charge and for the government to assume responsibility for the families of teachers killed by rebels. EI’s 3rd World Congress was to be held in the capital, Kathmandu, in July 2001, but due to the country’s instability and insecurity was relocated to Thailand.

Nepal’s Education For all (EFA) Report stated that the government’s vision was to introduce compulsory primary education for all Nepali children by 2002. An escalating internal crisis in one of the poorest and least developed countries in the world has contributed to Nepal’s inability to achieve that commitment. Free primary education is, to a limited extent, available for children between the ages of six and 12. But many families cannot afford school supplies or uniforms and schools do not exist in some areas. Providing universal education is further complicated by the fact that the country has 50 different languages and children are entitled to be taught at the primary level in their mother tongue. In Kathmandu and other urban areas, education at all levels is conducted almost exclusively in Nepali, the official language. At secondary school and in higher education most rural children are at a disadvantage. The quality of education is inconsistent. 50% of the teachers at primary and secondary levels are untrained. Nepal is host to over 100,000 Bhutanese refugees. The United Nations High Commission for Refugees (UNHCR) has responsibility for providing for their basic needs, including education. Tribhuvan University in Kathmandu is the principal institution of higher education.

GENDER PARITY: The 2001 census statistics reveal that 57% of adult women are illiterate, compared with 35% for men. Girls attend secondary schools at a rate half that of boys. The Education For All (EFA) Global Monitoring Report 2003/4 lists Nepal as a country at risk of not achieving either gender parity or basic education for all by 2015. The net
enrolment ratio of 72.4% at primary schools consists of 77.4% boys and 67.1% girls. Females account for only 20% of enrolments at university and other post-secondary institutions. Only 25% of primary school teachers are women. Under the Constitution women are entitled to equal pay for work of equal value, but this right is not implemented in practice, even in state industries. Rural women are especially disadvantaged. They lack education and are unaware of their basic rights. A number of NGOs are dedicated to improve literacy, provide skills and deter trafficking of women and girls, which is a serious problem. Female children are considered a commodity, to be bartered off in marriage. Child brides are common. Reliable reporting states that some parents or relatives sell young girls into sexual slavery.

**ACADEMIC FREEDOM:** In general terms the government tolerates academic freedom, although on certain sensitive political and social issues self-censorship may apply.

**CHILD LABOUR:** NGOs estimate that 2.6 million children - most of them girls - are working. 1.7 million of that total are working full-time. Approximately 60% of school-age children who work also attend school. The Labour Act prohibits employment under 14 years of age but employers, especially in the informal sector and agriculture, widely ignore the law. The Nepali Labour Act specifically prohibits forced or bonded child labour, but enforcement of this law is also inadequate. The ILO estimates that at least 33,000 children work as bonded labourers. The country’s first comprehensive child labour law was drafted with ILO assistance, but regulations to accompany the law have not yet been passed. Trafficking in women and girls remains a serious social problem. Best available data suggests that approximately 7,000 girls between 10-17 years-of-age are lured or abducted into prostitution each year. Most go to India. Typically they return to Nepal destitute and according to some reports 50% are HIV-positive. In Kathmandu, a 2001 ILO/IPEC study concluded that 30% of prostitutes in the city were minors. The government, with support from NGOs and international agencies, promotes nation-wide awareness campaigns on the dangers of trafficking in persons. The carpet-making industry has pledged to eliminate totally the use of child labour by 2005. The Rugmark Foundation already certifies carpets that are made without child labour. The government has belatedly honoured its promise to ratify ILO Convention 29.

**TRADE UNION RIGHTS:** A 1992 law bans teachers from engaging in political activity, joining political parties or holding political office. The Constitution provides for freedom of association and the Labour Act provides for collective bargaining. There are restrictions on the right to strike, although only essential services are completely prohibited from striking. In September 2002 teachers marched at a peaceful rally in the capital to protest the murder and abduction of colleagues and to demand permanent placement and decent treatment. 300 were arrested on charges of violation of the ban on mass gatherings. Among those arrested were the President and General Secretary of NTA. In the latter months of 2003, EI affiliates NNTA and NTA extended their protest at government inaction to address their concerns with regard to education policy. During 2003, NTA decided to hold its National Council meeting in a Maoist stronghold as a boost to the morale of teachers in that region.

**EI member organisation / Membership:**
- Nepal National Teachers’ Association (NNTA) / 70,000
- Nepal Teachers’ Association (NTA) / 9,000
EDUCATION RIGHTS: In 1917 a constitutional amendment guaranteed that every child had a right to an education irrespective of his or her family’s financial status. Today, education is amply funded by the state at both public schools, and at private, mostly denominational schools run by the Catholic and Dutch Reform Churches. Government licensed schools of other religious denominations are also publicly funded but must follow the same curriculum requirements as other schools. School attendance is compulsory for the equivalent of twelve grades and is free from age four to age 16. Schools are entitled to ask for some financial contribution from parents but it is entirely voluntary. Pupils attend a primary school for six years and then attend one of several types of secondary school, which offer training for entering a university or other advanced institution or for pursuing a vocation. Instruction is in Dutch, except in the province of Friesland, where classes are also taught in Frisian. During the last 30 years a large number of immigrants, asylum seekers, and peoples from its former colonies have settled in the Netherlands. The integration into a traditionally homogeneous society of several million people from a wide range of cultures has been a challenge for the country, not least in providing adequate and appropriate education for all and in counteracting some discrimination and racism. The Organisation for Co-operation and Development (OECD) statistics reveal that, unless recruitment policies attract large numbers of people to the teaching profession during the next decade, the country will face a serious staffing shortage as the current generation of teachers reach retirement age. The Netherlands’ 13 universities, 85 polytechnic institutions and the Open University (1984), which provides both university and vocational education through extramural courses, are all publicly financed.

GENDER PARITY: Equality of opportunity applies throughout the education system and 50% of students who go on to higher education are women. In 2001, approximately 65% of women between the ages of 15 and 65 held paying jobs. Some 58% of these worked part time. The social welfare and national health systems provide considerable assistance to working women with families. 16 weeks of maternity leave with full pay is available to women and a Parental Leave Law allows both parents to take unpaid full-time leave for 3 months. This can be extended for more than 6 months to care for children up to 8 years old. Persons working fewer than 20 hours per week also are entitled to parental leave.

ACADEMIC FREEDOM: Reports do not cite any government restriction of academic freedom.

CHILD LABOUR: The minimum age for employment is 16 years, and for full-time work it is conditional on completion of compulsory schooling. Those still at school at the age of 16 may not work more than eight hours per week. Persons under the age of 18 are prohibited by law from working at night, overtime, or in areas dangerous to their physical or mental well being. The laws are effectively enforced. In the Netherlands’ overseas territory of Aruba, the law allows for several exemptions to the general prohibition on employment of children under age 14. The government has failed
for several years to respond to the ILO’s requests for information on measures taken to bring the law into line with Convention 138. Sex «tourism» involving the abuse of children by Dutch citizens can be prosecuted, irrespective of the laws of the country where the offence occurs. There are heavy penalties for prostitution activities involving a child and a new law provides severe sentences for persons convicted of trafficking in children. The Supreme Court has ruled that the possession of child pornography is a crime and the government has instigated a major offensive against child pornography on the Internet. The main labour federation and several NGOs campaign against the sale of products where there is reason to suspect they were made with child labour. Dutch trade unions, along with their government, have been very active at the national and international levels to help eliminate child labour.

TRADE UNION RIGHTS: The right to organise and bargain collectively is recognised. About 28% of the workforce is unionised, but union negotiated collective bargaining agreements are usually extended to cover about three-quarters of the workforce. Industrial relations are generally harmonious and collective bargaining agreements are negotiated in the framework of the «Social Partnership» developed between trade unions and employers. Freedom of association is fully respected in the Netherlands itself, but not to the same extent in the overseas territories. In the Netherlands Antilles and in Aruba, penal codes limit the right to strike by public employees, including teachers in the private sector.

El member organisation / Membership:
Algemene Onderwijsbond (AO) / 72 085

FOOTNOTE: Responsibilities: Netherlands Antilles (Population: 214 258) and Aruba (Population: 70 441) are separate autonomous members of the Kingdom constitutionally on a level of equality with metropolitan Netherlands. SEE ALSO CURAçao.
EDUCATION RIGHTS: The Department of Education supervises both church and public primary, secondary and vocational schools. Education at public schools is free. In 2002, approximately 37,000 pupils were enrolled in primary schools, and 30,000 in secondary education. While formal education is now compulsory for all New Caledonians between the ages of 6 and 16, it was not until 1956 that secondary schools were available for the Kanaks, whose linguistic diversity (there are 27 language groups and many dialects) was used by the French authorities as a reason not to teach local languages at school. However, on the Loyalty Islands and districts of Grande Terre teaching in the local language or dialect is now available. At higher levels, both the government-run and private teacher training colleges in Nouméa offer students study courses in Melanesian languages and literature. The University of New Caledonia (UNC) has approximately 2,200 students. UNC has academic links with prominent universities in the region. Prior to 1999, UNC was a branch of the French University of the Pacific. Anecdotal information suggests that gender parity and academic freedom are not significant issues. The Barometer is unable to offer an informed comment on child labour in New Caledonia.

GENDER PARITY:  
ACADEMIC FREEDOM:  
CHILD LABOUR:  

TRADE UNION RIGHTS: Workers in New Caledonia enjoy union rights including freedom of association, the right to organise, the right to strike, and the right to bargain collectively.
New Caledonia and Dependencies, although still part of France, is accountable for many aspects of government under the status of ‘shared sovereignty.’ A failed independence referendum held in 1998 led to The Nouméa Accord. The Accord approved a 12-year transition period which leaves France with diminished influence. A further referendum on independence will be held sometime between 2013 and 2018. At this stage, the Collectivity (the territory’s current status) is administered by a congress which is compulsorily multi-party in nature. Until the new referendum New Caledonia continues to be represented in the metropolitan French Parliament by two elected deputies and one elected senator. New Caledonia, known as Kanaky by its indigenous Melanesian population, has some laws that differ from metropolitan France; however, its inhabitants are French citizens. Approximately 43% of the population identify as indigenous Kanaks. Europeans, about 37% of the population, include the descendants of French people who settled New Caledonia in the 19th Century, French citizens from former dependencies such as Algeria and Vietnam, and more recent arrivals from metropolitan France.
EDUCATION RIGHTS: Education is compulsory from age 6 until 16 years. It is free between the ages of five and 19 at public schools and at schools that have special philosophical or religious traditions and are integrated into the State system. All 238 Catholic schools, for example, are integrated. There are also fee charging independent schools and they receive some government funding. All schools deliver the national curriculum. Secondary education follows eight years at primary school. A National Certificate of Educational Achievement (NCEA) was introduced between 2002 and 2004. NCEA Level One (Year 11, 3rd year secondary) replaces an external examination. Level Two is an alternative to the traditional Year 12 certificate. Students may be credited for any available course of study. Only a language (either English or indigenous Maori) and mathematics are compulsory subjects. Students proceeding to NCEA Level Three tend to include subjects in anticipation of tertiary education. Some educators are critical of the NCEA and between thirty and forty schools have opted for the United Kingdom’s Cambridge Examination system or the international Baccalaureate programme for their senior students. There are eight public universities. Teacher training is available at Colleges of Education, the universities and at many of the country’s 22 polytechnics and institutes of technology. Early childhood programmes are widely available. Children with special needs are provided for, as are children living in remote areas. Teacher registration is compulsory and practising teachers must renew their certificates every three years. The language of the indigenous Maori population, endangered through much of the 20th Century, can now be used from kindergarten through to post-graduate university level. It is widely predicted that retirements during the next ten years will cause a shortage of teachers. Over 80 000 foreign fee-paying students, mainly from Asian countries, make an important contribution to the New Zealand economy. The rapid growth of the industry and instability amongst the private providers has raised issues about the educational quality provided for these students and led to strengthening of the regulation.

GENDER PARITY: Females make up nearly 60% of students enrolled in tertiary education. The law prohibits discrimination in employment and in pay rates for work of similar value. The government has acknowledged that a gender earnings gap persists in practice. Statistics as of August 2002 indicate that women earn 76% of men’s average total wage and 84.4% of men’s average ordinary hourly wage. Women are accorded a full opportunity to participate in political life and in 2003-04 hold senior positions in government, including Governor General and the Prime Minister.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: Children may not be employed under the age of 15 years in manufacturing, mining and forestry. Children under the age of 16 may not work between the hours of 10pm and 6am. In addition to explicit restrictions on the employment of children, compulsory education ensures that children under the minimum age for leaving school are not employed during school hours. By law children enrolled in school may not be employed, even outside school hours,
if such employment would interfere with their education. Traditionally children under 12 years of age have been employed delivering newspapers before and after school, in family shops, on family farms, and in horticulture. There are explicit laws prohibiting the sexual exploitation of children by New Zealanders and there have been a number of successful well-publicised prosecutions and convictions, including against citizens committing the offences abroad.

**TRADE UNION RIGHTS:** The main party in the present government is derived from the union movement dating back nearly a hundred years ago. The government during its first term in office repealed and replaced legislation passed by the previous government that was effectively destroying unionism. The ILO’s recommendations to the previous government were either ignored or ridiculed.

**El member organisation / Membership:**
- Association of University Staff of New Zealand (AUS) /3 000
- Independent School Teachers’ Association of New Zealand (ITANZ) 330
- New Zealand Educational Institute/Te Riu Roa (NZEI) / 28 775
- New Zealand Past Primary Teachers’ Association (NZPPTA) /11 474

**FOOTNOTE:** Responsibilities: Tokelau, a self-administering territory of New Zealand (population 1 431). The island of Niue (population 1 600), and Cook Islands (population 15 000) are self-governing states in free association with New Zealand. Both Niue and Cook Islands signed the United Nations Convention on the Rights of the Child (UNCRC) as non-member states. Neither state is obliged to accede to ILO Conventions ratified by New Zealand. The peoples of Tokelau, Niue, and Cook Islands are, as a birthright, also New Zealand citizens. Between 50 000 and 60 000 Cook Islanders, approximately 21 000 Niueans, and 6 300 Tokelauans reside permanently in New Zealand. About 70% were born in the country. SEE ALSO COOK ISLANDS.
EDUCATION RIGHTS: Adult literacy has not improved since the 1st edition of the EI Barometer in 1998. Government funding of compulsory education, to the 6th grade, is inadequate. Many children do not have access to secondary schools, especially in rural areas, because of lack of facilities and a shortage of teachers. A constitutional provision known as the ‘six percent rule’ allocates 6% of the annual budget to higher education. In a country where 39% of the population is under 15 years old, this is a disproportionate funding allocation when compared with the allocation for primary and secondary education programmes. There are serious problems related to the education needs of the indigenous people, who are about five percent of the population. They commonly live in the remote hinterland where they are provided with some 200 primary level schools, frequently under the de facto control of missionaries. Most indigenous peoples speak their own language and some English but have little or no Spanish. Only about 20% are literate.

GENDER PARITY: The primary school enrolment rate for girls improved between 1995 and 2001 from 75% to 80%. During the same period the rate for boys dropped from 75 to 73%. In secondary school, total enrolment rates fell from 45% to 35% during the same period. Females have less access to education in rural areas. Females who complete primary school are more likely than males to continue their education. Women comprise approximately 61% of the public sector work force, a number much larger than in the private sector. Even with comparable educational backgrounds, salaries for male and female workers differ significantly, with men making twice as much as women in the same positions. Women constitute the majority of workers in the traditionally low-paid education and health service sectors. Domestic violence remains common and often unreported. Prostitution is legal and common.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The 1996 Labour Code raised the age at which children may begin working with parental permission from 12 years to 14 years. Parental permission to work is also required for 15 and 16 year olds. Child labour rules are enforced in the small formal sector of the economy. Child labour that can affect normal childhood development or interfere with compulsory schooling, although prohibited by the Constitution, is a problem. According to a Ministry of Labour study, over 676,000 children are at-risk and exposed daily to violence, abuse, exploitation, and neglect. According to UNICEF, this number is expected to increase because of the population of children under the age of five years who live on the streets is growing. UNICEF reports that 20% of children from ages six to nine years of age work and the Labour Ministry estimates that about 100,000 children under age 14 are illegally employed. Of these, it estimated that 72,000 were employed in the annual harvests of coffee, cotton, bananas, tobacco and rice. Children age ten or older often work on plantations for less than US$ 1 a day. The Constitution prohibits forced or bonded labour but does not specifically address forced or bonded labour by children. The Ministry of Labour continued to report that some children were forced
to beg by their parents, and some were rented by their parents to organisers of child beggars. According to the Ministry of the Family, the incidence of child prostitution is a serious problem. The law defines sexual relations with children 13 years and younger as unlawful. Therefore there is no legal prohibition on prostitution by juveniles aged 14 and older. The Republic’s ratification of ILO Convention 182 carries an obligation to change the law.

**TRADE UNION RIGHTS:** Legally, all public and private sector workers (except the police and those in the military) may form and join unions of their own choosing. The Constitution provides for the right to bargain collectively and recognises the right to strike. The Labour Code requires that before a union may strike, it must receive approval from the Labour Ministry and go through a process that requires good faith negotiation with management. The threshold is so demanding and complex that there were only been three legal strikes between 1996 and 2002. However, there have been a number of illegal strikes. They afford no protection to the striking workers. In October 2003, EI intervened with the Minister of Finance to request the implementation of July 2003 salary increase agreements reached between CGTEN-ANDEN and the Ministry. Salary levels and working conditions for teachers and education personnel remain poor.

**El member organisation / Membership:**
Confederación General de trabajadores de la Educación de Nicaragua [CGTEN - ANDEN] / 12 520
Confederación Nacional de Maestros de Nicaragua [CNMN] / 15 000
EDUCATION RIGHTS: Because of a shortage of teachers and the wide dispersion of the population, only about 32% of children of primary school age attend school, although education is said to be free and compulsory between the ages of 7 and 15. About 60% of those who finish primary school are boys. Higher education is available at the University of Niamey and the Université Abdou Moumouni de Niamey. As a result of financial problems and student strikes, the academic year 2001-2002 was interrupted and started several months late. During the 2002-2003 academic year, some faculties started on time, but others were in the process of finishing the previous academic year and started late again. The 2nd edition of the EI Barometer reported that during 1999 students protesting scholarship arrears and education austerity measures were forcibly dispersed by police using tear gas. Almost identical protests occurred in subsequent years, including 2002, and were met with the same police response. According to Amnesty International (AI), two students arrested in February 2001 were still in detention without being brought to trial at the end of 2002. The incidence of HIV/AIDS is increasing the number of orphans requiring special assistance. The World Bank’s Fast Track Initiative, launched in 2002, included Niger as one of the countries eligible for assistance. In November 2002, funding was approved to assist Niger implement its Education For All (EFA) plan of action.

GENDER PARITY: The majority of young girls are kept at home to work and rarely attend school for more than a few years. Some ethnic groups enter into marriage agreements under which young girls are sent by the age of 10 or 12 to join their husband’s family under the tutelage of their mother-in-laws. In 2000, as part of a legislative review the Minister of Justice formed a commission to examine the problem of child brides. The commission’s work is still ongoing. The adult female literacy rate is 7% vs 21% for males. However, a quarter of the students enrolled in higher education are women and approximately 34% of the primary school teachers are female. The National Assembly has plans to pass legislation prohibiting female genital mutilation (FGM). In the meantime, the government, working closely with UNICEF and a local NGO, has substantial educational programmes to discourage the practice. Female submissiveness is a deep-seated tradition in Niger and continues to cause discrimination in many areas, including education.

ACADEMIC FREEDOM: According to best available reports, the government does not restrict academic freedom.

CHILD LABOUR: Child labour in non-industrial enterprises is permitted by law under certain conditions. Children under the age of 14 must obtain special authorisation to work, and those 14 to 18 years are subject to limitation on hours and types of employment (no industrial work) so that schooling may continue. Child labour is practically non-existent in the formal sector. Children work in the unregulated agricultural, commercial, and artisan sectors. Rural children regularly work with their families from a very early age. Some children are kept out of schools to guide a blind relative on begging rounds; others are sometimes employed by Koranic teachers to beg in the streets. There are credible reports of
underage girls being drawn into prostitution, sometimes with the complicity of their families. The trafficking of children and the enslavement of children occurs. A government commission, formed in 2000 to investigate the problem, had made no report by 2003.

**TRADE UNION RIGHTS:** The Constitution provides formal recognition of workers’ longstanding right to establish and join trade unions. The National Union of Nigerien Workers and the affiliated National Union of Nigerien Teachers [SNEN], an EI member, profess political autonomy. The Labour Code is based on ILO principles, and protects the right to organise. In private and state-owned enterprises, unions widely use their right to bargain collectively. Collective bargaining also exists in the public sector. However, since most organised workers, including teachers, are government employees, the government is actually involved in most bargaining agreements. The Constitution provides the right to strike but public workers must maintain a minimum level of service during a strike. During 2002 there were several strikes by education workers, generally relating to fringe benefits and lack of good working conditions.

*EI member organisation / Membership:
Syndicat National des Enseignants du Niger (SNEN) / 14 500
Syndicat National des Agents de la Jeunesse, de la Culture et des Sports (SYNAJEC/ES) / 410*
EDUCATION RIGHTS: Public schools provide an inadequate service for the needs of Nigeria’s children and limited facilities preclude access to education for many school-age children. The Constitution equivocates on the subject of compulsory education, which should be nine years, stating that when practical «the government will provide free, compulsory and universal primary education.» The state has rarely achieved this goal, and never in the Northern regions. Currently, education is neither, free, compulsory nor universal. During the oil-boom years, Nigeria concentrated on creating 31 universities to the detriment of developing basic primary education. The general quality of secondary education is considered poor. Student groups allege that numerous strikes, inadequate facilities and the rise of cults (gangs of student affinity groups) on campus, especially in the South, hamper educational progress. During 2002, members of student cults, occasionally killed students from rival groups. Cultism in schools is gradually becoming a national issue. Rivalry and fighting between and among rival cultist groups also occurs at institutions of higher education and has led to killings as well as the destruction of property. The University of Nigeria, at Nsukka, in the East of the country was closed when rival cultist groups engaged each other in a fight. Three students reportedly were killed and property destroyed. The universities of Calabar, Ibadan, and Ife have been closed since 2000 due to violent cultist activities. In 2002, at the Federal College of Education in Zara, violence broke out between Christian and Muslim students over student elections. A dozen students died and many more were injured.

GENDER PARITY: Only 50% of adult females are considered literate. In contrast over two-thirds of adult males are considered literate. In many parts of the country girls are discriminated against in their access to education for social and economic reasons. In the North, Muslim communities favour boys in deciding which children to enrol. In the south economic hardship affects many families’ ability to send girls to school. Only 42% of rural girls are enrolled in school compared with 72% of urban girls. Some women have made individual progress in the academic and business world but educated women often experience discrimination. The Federal government publicly opposes female genital mutilation (FGM) but has taken no legal action to curb the practice. Between 50 and 60% of the female population undergo FGM. The introduction of Shari’a law in some northern states requires that transportation, health and education services be separated by gender.

ACADEMIC FREEDOM: In general terms, academic freedom is not restricted by the present government.

CHILD LABOUR: Government initiatives to stem the growing incidence of child employment have not been effective. Nigeria, along with Bangladesh, DR Congo, Pakistan and India, account for half of the world’s child labour. Studies indicate the causes of child labour to include a declining school enrolment due to the deterioration of public schools and to increased economic pressures on families, forcing them to place children in the labour market. The ILO estimates the
number of children aged 10 to 14 who are working in some capacity at 12 million. Under the law children age 14 and younger may not be employed in commerce or industry. The law restricts the amount of work performed by children in home-based agricultural or domestic activity to eight hours a day. The use of children as hawkers, beggars and bus conductors is widespread in urban areas. There are credible reports of poor families selling their daughters into marriage as a means of supplementing their incomes. Human Rights Watch (HRW) reports that child marriages are common especially in northern areas. There are serious health consequences, even to the extent of premature death, for girls subjected to early pregnancy or to intercourse prior to sexual maturity. Trafficking of children into Europe for the purposes of prostitution, including forced prostitution, is a serious problem.

**TRADE UNION RIGHTS:** The right to form and belong to a trade union or other association is provided for under the Constitution. However some statutory restrictions on the right to associate remain. The law provides for the right to organise and to bargain collectively, which occurs throughout the public sector and the organised private sector. There is a right to take strike action. The right to organise is denied to workers in essential services, the list of which exceeds the ILO’s definition. A General Strike was called by the Nigeria Labour Congress in January 2004 to protest rising prices, particularly of petroleum, and the lack of negotiations by the government with the labour unions on matters of urgent concern.

**EI member organisation / Membership:**
Nigeria Union of Teachers (NUT) / 350 000
EDUCATION RIGHTS: Compulsory education was established in Norway in 1827. Education is free and compulsory for ten years: children are normally in school from age six until the age of 16, with an optional 11th year. Most children stay at school until at least 18. Changes made since the 1960s have reduced regional disparities and increased access for all social groups to the educational system. Mandatory religious knowledge classes although tolerant, liberal and respectful of all religious beliefs have a perspective deriving from the official state religion, Evangelical Lutheranism. Objections to the compulsory nature of the classes have been submitted to the European Court of Human Rights. In recent years the Government has taken steps to protect the cultural rights of the Sami, formerly known as «Lapps». Sami language instruction is available in schools in provinces with Sami populations. Radio and television programmes broadcast is subtitled in Sami and subsidies for newspapers and books oriented toward the Sami are funded by the government. A Deputy Minister in the Ministry of Local Government and Regional Development deals specifically with Sami issues. There are ten colleges of university standing, including the Nordic College of Fisheries. Of the four universities, Oslo, Bergen, Trondheim and Tromsø, all but Oslo were established after World War II.

GENDER PARITY: Approximately 56% of students enrolled in higher education are women. Although women are entitled under the law to equal pay for equal work, there is a 10 to 15% disparity favouring men. Women are increasingly well represented at all levels of government. No restrictions in law or practice hinder women’s participation in government and politics. In 2002 there were 57 women in the 165-seat Parliament and women headed 8 of the 19 government ministries, chaired 5 of 15 standing committees in Parliament, and headed 2 of the 6 main political parties. The Gender Equality Ombudsman processes complaints of sexual discrimination. An amendment to the Working Environment Act provides that «employees shall not be subjected to harassment or other unseemly behaviour».

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: Children 13 to 18 years of age may be employed part-time in light work that will not adversely affect their health, development or schooling. Minimum age rules are observed in practice and diligently enforced. An independent Children’s Ombudsman Office, within the Ministry of Children and Families, is responsible for the protection of children under the law. Both the government of Norway and the unions have been very active in work at the national and international levels to eliminate child labour.

TRADE UNION RIGHTS: Over 60% of a labour force of approximately two million are organised into unions. Collective bargaining is widespread with most wage earners covered by negotiated settlements. Under the law workers have the right to strike. From 1 January 2003, EI affiliates, Laerferforbundet and Norsk Laererlag amalgamated as
Utdanningsforbundet (UEN). The government consults them on important economic and social problems. Although the largest trade union federation is associated with the Labour Party, all unions and labour federations are free of party and government control.

El member organisation / Membership:
Utdanningsforbundet/Union of Education (UEN) / 101 499
Norwegian Association of Research Workers [NARW] / 13 000
Skolenes Landsforbund [SL] / 3 500

FOOTNOTE: Svalbard is a territory of Norway (Population: 2 868)
EDUCATION RIGHTS: Pakistan is a country with great extremes of wealth. Neither the federal nor the provincial government demonstrates a strong commitment to children’s rights and welfare. Pakistan’s Education For All (EFA) Report states that compulsory education is a priority, but there is no federal law on compulsory education and neither federal nor provincial government provides anywhere near the resources needed to achieve this goal. Reliable studies show that only 65% of children under the age of 12 enrol in school, less than half of whom complete primary education. Graduation from primary school does not assure that a child is able to read and write. According to UNICEF figures in 2001, a nationwide sample of 5th grade children revealed that only 33% could read with understanding, while a mere 17% were able to write a simple letter. The education sector is hampered by inefficiency and corruption at both federal and provincial levels. Up to 50% of the education budget is said by one authority to simply «disappear». Surveys in recent years identified that school buildings were being misused on a massive scale. 10 000 schools have closed «due to a lack of teachers» while during the same period large numbers of «ghost teachers» and «ghost administrators» were not performing their duties or showing up for work. These frauds have been clamped down on, although no charges have been laid against the fraudsters. The use of unqualified teachers is also a serious problem. In the Punjab, as recently as August 2001, a survey revealed that half of 3rd grade teachers did not know their basic multiplication tables. The provincial government refused to dismiss or educate unqualified teachers. Large numbers of madrassahs, religious schools, exist. In June 2002 the government issued an ordinance regulating madrassahs. The proposed programme was voluntary and it was planned to set up model schools, establish teacher training standards and standardise the curriculum for madrassahs taking part in the programme. A Board was to oversee and enforce the regulations in the participating schools. The Board was also to control all internal and external funding to the madrassahs. As a result of opposition from religious clerics, the government withdrew most of the requirements for education reform. Despite the fact that more than 1.5 million Afghans returned home from Pakistan in 2002, an estimated 1.8 million refugees remain. Refugees who live outside camps have, with the assistance of NGOs, established schools for Afghan children in Pakistan. UNHCR is responsible for education in the camps. Pakistan has a large prison population. Imprisoned youth offenders and innocent children born to female prison inmates (often as a result of rape and sexual abuse by guards) have few educational opportunities. Human Rights Watch (HRW) reports that children are frequently beaten and sometimes tortured or sexually abused while in detention to extract confessions. Such punishment is also used to intimidate families or to extort payment for the release of the children. Drug trafficking by guards and other staff is also a problem; some children reportedly develop drug habits in prison. There are 23 universities, 99 professional colleges and 675 arts and sciences colleges.

GENDER PARITY: Girls have less access to education than boys do. A survey in 2001 found that the school enrolment rate for girls under age 12 was 65%, which was less than that of boys (75%), but considerably higher than the 1990 figure of 50%. The official female literacy rate has doubled during the past two decades, although, at roughly 27%, it is
half that of males. In rural areas gender disparity is partly attributable to traditional attitudes. A survey found that some 42% of rural parents cited ‘no financial benefit’ as the reason they kept their daughters from attending school, and sent their sons instead. Academically qualified girls are also disadvantaged. In Karachi in 1999, only 28% of girls completing 10th grade examinations in science found places in government-run colleges, as opposed to 83% of boys passing exactly the same tests. Although a small number of women study and teach in universities, postgraduate employment opportunities for women largely remain limited to teaching, medical services, and the law. Nevertheless an increasing number of women are entering the commercial and public sectors. The 2003 Human Rights Watch (HRW) report noted an important legal development favouring women. The National Commission on the Status of Women, an independent statutory body, persuaded the government to enable Pakistani women to confer nationality on their children, regardless of the nationality of their fathers.

ACADEMIC FREEDOM: The government generally does not interfere with academic freedom. However, the atmosphere of violence and intolerance fostered by student organisations, typically tied to religious political parties, is a continuing threat to academic freedom, this despite a Supreme Court ruling that prohibited student political organisations on campuses. On some university campuses, well-armed groups of students, primarily from radical religious organisations, intimidate students, instructors, and administrators over issues such as language, syllabus content, examination policies, grades, doctrines, and dress. These groups frequently facilitate examination cheating; interfere with the hiring of staff, control university admission, and sometimes the funding of the institutions. Such control generally has been achieved through a combination of protest rallies, control of the campus media, and threats of mass violence. At Punjab University, the student wing of the political party Jaamat-i-Islami (the largest Islamic political party) attempted to impose its self-defined code of conduct on teachers and students by threatening to foment unrest on campus if its demands were not met.

CHILD LABOUR: Pakistan, India, Bangladesh, Nigeria and DR Congo are responsible for 50% of child labour in the world. There are as many as 20 million child labourers. Agriculture is the largest employer of children followed by domestic work. Children also work in street vending and family businesses. Hazardous work in leather tanning plants, surgical instrument manufacturing, and brick kiln industries involves thousands of children. Child labour, mostly female, is common in the carpet industry, much of it family-run. Carpet manufacturers, along with the ILO/IPEC, have established a programme to eliminate child labour from the industry by promoting educational opportunities for children. Soccer ball manufacturers, importers, the ILO, and UNICEF have implemented a plan to eliminate child labour from their industry. This project, based in Sialkot, monitors the production of soccer balls at established stitching centres and has established 185 rehabilitation centres to educate former child labourers. The ILO has created a similar programme in conjunction with the EU specifically targeting child bonded labourers. During 2002 the government took charge of 18 centres begun by the EU. Since 1998 the ILO and the Swiss Agency for Development and Cooperation have run a large project targeting child labour and child abuse in the automobile repair sector, with the aim of providing children with vocational training and informal education. The project has been extended to 2005. A government-supported scheme, involving various domestic NGOs, offers parents financial incentives, including uniforms, books, meals and tuition fees to remove their children from work and send them to school. The project has had limited success. In remote rural areas it is a traditional practice for poor parents to give children to rich landlords in exchange for money or land. Bonded agricultural labour and debt slavery have a long history. Landlords keep entire families in private prisons and sell them to other landlords. Child prostitution involving boys and girls is a serious problem. The Shabab-i-Milli, the youth wing of the Jaamat-i-Islami party, launched a campaign in 2000 to combat child prostitution by raising public awareness. The
Commission of Inquiry for Women has observed that child sexual abuse is a subject that «has been virtually ignored» and called for a public education campaign on the subject. The Commission wants to introduce the issue into school curricula and into training for nurses and doctors showing how to treat and help the victims of such cases. A UNICEF-sponsored study of Punjab found that 15% of girls reported having been abused sexually. Theoretically, children’s rights are protected by numerous laws that incorporate elements of the United Nations Convention on the rights of the Child (UN CRC). In September 2001, the government signed the Optional Protocols to the CRC on involvement of children in armed conflict and the sale of children, child prostitution, and child pornography. The law, however, is not adequately enforced. Theoretically there is now a national board charged with combating child labour. Every province has been asked to appoint an official responsible for child labour programmes and initiatives, and a proposal has been submitted to the Ministry of Labour to begin informal education centres for child workers. Pakistan is a source, transit point, and destination country for trafficking in children. Boys aged three to 10, as many as several thousand, are trafficked to the Persian Gulf to work as camel jockeys. In some cases physically or mentally disabled children are forced into begging by organised criminal «beggarmasters» who skim off much of the proceeds. Parents reportedly have given children as offerings to Baba Shah Dola, a shrine in Punjab where the children reportedly are deformed intentionally by clamping a metal form on the head that induces microcephalitis. Human rights organisations have asked local authorities to investigate this practice; however, there have been no investigations.

TRADE UNION RIGHTS: Restrictions preclude collective bargaining by large sections of the labour market and the right to strike is severely constrained. The ILO has stated repeatedly that the country’s law and practice violate the government’s commitments under ILO Convention 87. The ILO has urged the government to lift prohibitions against union activity by teachers, as well as to rescind the existing ban on strikes. In the public sector, workers in most sectors may form unions. The right of teachers to unionise is not provided for, as they are not defined as an ‘industry’. In November 2001, the government introduced new laws on public sector workers, preventing them from appealing to the courts against dismissal, and prohibiting any court intervention in such matters. In September 2002, it introduced a «new labour policy» to implement the recommendations of the National Tripartite Labour Conference held the previous year. The new policy further restricts trade union rights. The ILO also expressed concern about the practice of artificial promotions that exclude workers from the enacting-clauses of Convention 111. In response to a government request, the ILO has provided technical assistance to help bring the country’s labour laws into conformity with the ILO’s conventions. However, no legislative action has been taken.

EI member organisation / Membership:
All Pakistan Government School Teachers’ Association (APGSTA) / 17 000
Pakistan Lady Teachers’ Association (PLTA) / 400
Pakistan Teachers’ Organisation Council (PTOC) / 5 000
Sindh Polytechnic Teachers’ Association (SPTA) / 1 000
EDUCATION RIGHTS: The Palestinian Authority (PA) provides compulsory education through the 9th grade, when children usually reach age 15. Especially in rural areas and refugee camps there is a high dropout rate from school in order for children to help support their families. In areas under curfew students and teachers are often unable to reach their schools. Classes are consequently cancelled. Since 2000 both Palestinian and Israeli education and health care authorities report increases in stress and trauma among school-age children. Education and health care professionals acknowledge that students are badly affected by the violent security situation. This interferes with learning and manifests itself in lack of focus, nightmares, daytime and night-time incontinence and other behavioural problems. Many children have also sustained physical injuries in the on-going conflict. The authorities directly link children’s psychological problems to the Palestinian al-Aqsa intifada (uprising) and Israel’s military response. In October 2002, the UN Committee on the Rights of the Child recommended that non-state actors establish and strictly enforce rules of engagement for military and other personnel, which would fully respect the rights of children enshrined in the United Nations Convention on the Rights of the Child (UN CRC). Closures and curfews impede school attendance and the United Nations Relief and Works Agency (UNRWA) reported that 72 000 teacher workdays were lost in the 2001-02 academic year. Test scores in its West Bank and Gaza schools dropped dramatically and dropout rates rose for the first time in a decade. East Jerusalem schools remained under-funded and overcrowded. Many students were denied an education in public schools due to lack of space. In 2001 the government had agreed to build 245 new classrooms within 4 years in order to alleviate this problem. However, no funds were budgeted for that purpose. The 2002 budget included enough funds for 60 new classrooms. An EI fact-finding mission (with United Kingdom and Norwegian partners) visited Israel and the Occupied Territories in 2002. The mission published a comprehensive account of the extent to which the right of all children to an education in a safe environment was destabilised by the violent conflict. The ILO, UNICEF, Save the Children, and numerous domestic social welfare organisations focus on developing educational, medical and cultural services for Palestinian children. Many Palestinians with disabilities are segregated and isolated from Palestinian society. They are discriminated against in most spheres, including education, employment, transportation, and access to public buildings and facilities.

GENDER PARITY: Because of social disapproval and early marriage, Palestinian girls frequently do not finish their compulsory schooling. Cultural restrictions sometimes prevent women from attending colleges and universities. There are no special laws that provide for women’s rights in the workplace. Women are underrepresented in most aspects of professional life. A small group of women are prominent in politics, medicine, law and in teaching. However, women are seriously underrepresented in the decision-making positions in these fields.

ACADEMIC FREEDOM: During 2002-03, reports do not indicate that the PA restricted academic freedom in the West Bank and Gaza Strip. According to the US State Department Human Rights Report for 2002, «Israeli-imposed clo-
sures, curfews, and military actions severely restricted academic freedom by disrupting the operations of West Bank and Gaza schools, colleges and universities... Students and staff at all educational levels had difficulty travelling to and from educational facilities because most areas were under some form of internal closure for the entire year... Students from Gaza were unable to reach West Bank universities since early October 2000, when Israel closed the safe passage route between Gaza and the West Bank. What is taught in Palestinian education establishments about Israelis and what Israelis teach about Palestinians is a subject that raises strong emotions on both sides. This issue needs to be addressed by joint Israeli and Palestinian working groups.

**CHILD LABOUR:** The minimum working age is 14 years and children aged 15 to 17 are prohibited from hazardous employment or from doing work that requires them to travel beyond their residential district. Many children under the age of 12 are engaged in some work activities. Most of this employment involves work on family farms, in family shops, or as urban street vendors. Some child labour is reported to occur in shoe and textile factories.

**TRADE UNION RIGHTS:** A new labour code came into force in January 2002 after extensive tripartite consultations. A public service law regulates employment benefits and salaries for public servants, including teachers. Given the current economic and political climate, it is virtually impossible to carry out any trade union activity. According to an ILO report, the percentage of the population living in poverty (less than the equivalent of US$ 2 per day) increased from 21% in 1999 to 33% in 2000 and 46% in 2001. It was predicted it would reach 62% in 2002. EI affiliate GUPT was the first union to represent Palestinians in both the West Bank and Gaza. The majority of West Bank and Gaza unions belong to the Palestinian General Federation of Trade Unions (PGFTU). The PGFTU estimated that approximately 75% of all Palestinian workers are dues-paying members. Palestinian unions that seek to strike must submit to arbitration by the PA Ministry of Labour. If the union disagrees with the final arbitration and takes strike action, a tribunal of senior judges appointed by the PA decides what disciplinary action is to be taken. There are no laws in the occupied territories that specifically protect the rights of striking workers. In practice, such workers have little or no protection from an employer’s retribution.

**El member organisation / Membership:**
General Union of Palestinian Teachers (GUPT) / 34 000

The occupied territories are composed of the Gaza Strip (Population: 1 225 911), the West Bank (Population: 2 163 667), and East Jerusalem (Population: 211 600). They were occupied by Israel during the 1967 War. The population figures exclude the number of Israeli settlers in the territories. The 1993 Oslo Accords established a framework for negotiating transitional and final status arrangements for the territories. In an Interim Agreement in September 1995, Israel transferred most responsibilities for civil government in the Gaza Strip and parts of the West Bank to the newly-created Palestinian Authority (PA). Since 2000 the security situation has deteriorated both within Israel and within the Palestinian Territories. The terms “Occupied Territories” and “Territories under the jurisdiction of the Palestinian Authority” are both in use, depending on the context. The UN and the ILO generally avoid using “Palestine” to describe a geographical entity.
EDUCATION RIGHTS: Education is free and compulsory to the 9th grade, and between the ages of six and 15. In Panama 37% of the population are under age 18. In remote areas children do not always attend school due to lack of transportation, traditional attitudes, and insufficient government resources to enforce the law. The problem is most extreme in Darien Province and among indigenous groups. The Constitution requires the government to provide bilingual literacy programmes in indigenous communities. Despite legal protection and formal equality, generally the indigenous groups have a higher rate of illiteracy than the rest of the population. The Antillean black population, who make up 7 to 8% of the population, came from the former British West Indies as plantation workers early in the 20th Century. They later became the mainstay of the Panama Canal workforce although they have gradually been replaced. They tend to be bilingual in English and Spanish and value education as a means to advancement. Unfortunately, according to reliable sources, they are a target for racial discrimination by both Hispanic and Afro-Panamanians and are not integrated into the mainstream of society. Reliable reports conclude that racial prejudice also disadvantages 200,000 citizens of Asian heritage. Reports cite a high incidence of juvenile gang activity in urban areas often associated with criminal activity. The Minister of Education has the responsibility of providing education for children with disabilities. Legislation requires that they be integrated into the education system.

GENDER PARITY: Nearly 60% of enrolments at tertiary institutions are women. Wages for women are 30 to 35% lower than those of men, despite legislation requiring equal pay for work of equal value. Reports note irregular hiring practices, particularly of women. Domestic violence continues to be a problem, as is trafficking of women.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The law prohibits the employment of children under 14 years of age as well as those under 15 years if the child has not completed primary school. Children aged of 12 to 15 years may perform farm or domestic labour as long as the work is light and does not interfere with schooling. Child labour violations occur most frequently in rural areas during the harvest of sugar cane, coffee, bananas and tomatoes. Many young children are involved in subsistence agriculture. The problem of child labour in agricultural areas appears to fall most heavily on indigenous families, who often are forced to migrate out of their isolated reserves in search of paid work. These frequent migrations interrupt schooling. Panama is a destination for girls trafficked for sexual purposes from Colombia and the Dominican Republic, in particular. Trafficking in girls for sexual purposes occurs within the country, but the extent of the practice is unknown.

TRADE UNION RIGHTS: Private sector workers have the right to form and join unions of their choice. The 1994 Civil Service Law permits most government workers to form public employee associations and establishes their right to...
represent members in collective bargaining with their respective agencies. But they do not have the benefit of union pro-
tection. The Civil Service Act provides little protection, given that in practice only about 10 000 people have civil service
status. The remaining 140 000 public sector workers are effectively denied the right to organise, bargain collectively or
strike. The ILO has observed for some years that the restrictions on public sector workers are inconsistent with obligations
under ILO Convention 87. In the private sector, employers often hire workers on temporary contracts to avoid labour code
requirements.

EI member organisation / Membership:
Magisterio Panameño Unido (MPU) / 3 000
PAPUA NEW GUINEA

Independent State of Papua New Guinea • Population: 5,172,033

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>% GNP spent on education:</th>
</tr>
</thead>
<tbody>
<tr>
<td>41.4%</td>
<td>2.3%</td>
</tr>
<tr>
<td>Illiteracy:</td>
<td>Life expectancy at birth:</td>
</tr>
<tr>
<td>35.4%</td>
<td>m: 61.73 - f: 66.03</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td>School life expectancy (years):</td>
</tr>
<tr>
<td>101%</td>
<td>% 2000 cohort reaching grade 5:</td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td>Tertiary students per 100,000:</td>
</tr>
<tr>
<td>101%</td>
<td>9,858</td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td>% government expenditure on education:</td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>17.5</td>
</tr>
</tbody>
</table>

Ratification of ILO conventions:

29 87 98 100 105 111 138 169 182

EDUCATION RIGHTS: Education is not free, compulsory or universal but about 80% of Papua New Guinea’s (PNG) children attend a few years of primary school. Few students progress beyond the primary level. Developing a comprehensive education system for PNG is very challenging. The country consists of the eastern portion of the island of New Guinea, and some 1 400 other islands of very variable size. PNG has a combined area of 462 840 square kilometres. The people belong to over 1 000 tribes and speak some 800 languages. English is the official but Pidgin is the more comfortable language for communication for such a disparate population, the majority of whom have received little or no formal education. Secondary education is characterised by very high unit costs because the majority of junior and upper secondary institutions are boarding schools, reflecting the fact that 85% of the population live in small, scattered villages over a relatively vast area. Political volatility, crime and tribal gangs acting with virtual impunity signpost why PNG is considered by some commentators at risk of becoming a rogue state. The failure of consecutive governments to address problems associated with urban unemployment and failed education and health policies has added to the risk. The national university, headquartered in the capital, Port Moresby, has five open campuses and 13 study centres.

GENDER PARITY: The adult illiteracy rate for women is twice the rate for men. There are 15% fewer girls in primary school than boys. Less than a third of students at university and other post-secondary institutions are women. The Constitution provides for equal protection under the law but women face considerable customary discrimination. It is indicative of the status of women in Papuan society that there is only one woman in the 109-member elected Parliament.

ACADEMIC FREEDOM: Reports do not document government restriction of academic freedom.

CHILD LABOUR: The legal minimum working age is 18. However, children between the ages of 11 and 17 may be employed in a family-related business or enterprise provided they have parental permission, a medical clearance and a work permit from a labour office. This type of employment is rare, except in subsistence agriculture. Most programmes to protect and develop youth and children are operated by NGOs and religious organisations.

TRADE UNION RIGHTS: Workers have the right to form and join trade unions and about half of the 250 000 wage earners in the formal economy are organised and are members of one of approximately 50 trade unions. The Public Service Employees Association represents an estimated 23 000 persons employed by national, provincial and municipal governments, or one-third of the public sector work force. Both private and public sector workers have the right to strike. The Constitution provides for the right to engage in collective bargaining but, under the law, the government has discretionary power to cancel arbitration awards or declare wage agreements void when they are contrary to government policy. The government has told the ILO that it would reform industrial relations policies to comply with ILO fundamental Conventions but has failed to do so.

EI member organisation / Membership: Papua New Guinea Teachers’ Association (PNGTA) / 12 663
EDUCATION RIGHTS: The population of Paraguay is very young, with an average age of 25.3 years. A 2001 census reported that 45 percent of children age 5 or younger live in poverty. Primary education is free and compulsory from seven to 14 years of age. The government’s plan to extend the compulsory term by two grades, as stated in 2nd edition of the EI Barometer, has been frustrated because of inadequate funds. Paraguay is one of 57 countries the Education for All Monitoring (EFA) Report identified as at risk of not achieving universal primary education by 2015. The number of schools is insufficient, especially in rural areas, and adequate teaching resources are scarce throughout the country. Paraguay is officially bilingual. The Constitution recognizes both Spanish and Guaraní as languages of instruction. Guaraní derives from the Tupí-Guaraní group of Amerindian languages and is considered a defining aspect of Paraguay’s cultural inheritance. The indigenous population - 80,000 according to census data - is unassimilated and neglected. Catholic mission schools tend to instruct in indigenous languages, but neo-conservative North American religious sects have been unrelenting in their efforts to eliminate all traces of indigenous culture and language. German-speaking Mennonite colonies run their own schools. A significant Asian population is multilingual and, by the second generation, in the mainstream of the education system. The public National University and the Roman Catholic University of Our Lady of the Assumption are in the capital, Asunción.

GENDER PARITY: Boys and girls legally are entitled to equal treatment in education. Fifty-eight percent of tertiary-level graduates are women. A 2001 census survey found that 15.4% of rural adult females were illiterate, compared with 10.7% of rural adult males.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Minors 15 to 17 years of age may be employed only with parental authorisation and may not be employed in dangerous or unhealthy conditions. Children aged 12 and up to 15 years may be employed only in family enterprises, apprenticeships, or in agriculture. The Labour Code prohibits work by children under 12 years of age. In general, the government does not enforce these minimum working-age conditions. During 2002, Paraguay’s failure to ratify ILO Convention 138 was protested by several hundred child workers. The respected NGO, Coeti, states that 13.6% of children between the ages of five and 17 work outside their homes, many in unsafe conditions. 42% of the group began working by the age of eight, and 37% of them do not attend school. The 2001 census found that 5% of the entire workforce was under the age of 14. Many children who work on the streets suffer from malnutrition and disease and lack access to education. Frequently families that cannot afford to raise a child - usually a daughter, sometimes as young as age five - send the child to relatives or colleagues who expect the child to work as a domestic servant or nanny in exchange for room, board and access to education. There are some 11,500 such young girls. They are susceptible to mis-
treatment, including sexual abuse, and typically do not obtain an education. An NGO identified 619 child victims of sexual exploitation in 2001, the vast majority of whom live in Asunción and the tri-border centre of Ciudad del Este where children as young as eight years are involved in prostitution. Reports continue that conscription into the armed forces at age 15 or younger occurs and that under-age recruits are provided with false birth certificates and other false documentation. Between 1989-2003, 111 underage conscripts died while in military service. Human Rights Watch (HRW) notes that most of the investigations of these deaths have not been resolved.

**TRADE UNION RIGHTS:** Both private and public sectors may join unions without government interference. The Constitution contains several provisions that protect fundamental worker rights, including an anti-discrimination clause, provisions for employment tenure, severance pay for unjustified dismissal, collective bargaining and the right to strike. The ILO Committee of Experts has noted deficiencies in the application of Conventions 29, 87, and 105, although a bill prepared in 2000, if passed, would make the law compliant. Employers create parallel or «factory» unions to compete with independently formed unions. In several cases workers chose not to protest either from fear of reprisal or believing the government was unlikely to take supportive action.

**EI member organisation / Membership:**
Organización de Trabajadores de la Educación del Paraguay (OTEPI) / 5 200
EDUCATION RIGHTS: Nearly 70% of Peru’s 10 million children under 18 years of age live in poverty; of them, about 20% live in extreme poverty. However, compared to other social welfare indicators the country has a relatively high rate of literacy. Public education is compulsory for all children through secondary school. Some children in rural and jungle areas, however, do not attend secondary school because of lack of facilities, a shortage of qualified teachers, or the need to support their families from an early age by working in the informal sector. Roughly 6% of children aged six to 12 years, and 17% aged 13 to 17 years, have either never attended school or have abandoned their education. Among children who live in poverty and abject poverty the figures are 16% and 43%. Fees for uniforms and books pose problems for poor families. Regulations require all schoolteachers to have professional teaching certification. The 1998 edition of the EI Barometer indicated that this might result in many teachers in the remote east Amazon jungle region being replaced by teachers who do not speak any of the indigenous languages. This would further jeopardise the survival of the fragile cultures and languages of some 300,000 people. In fact most certified teachers were unwilling to work in such isolated terrain and, in the main, Indigenous teachers have been retained, with or without certification. There are 27 national and 19 private universities, all government regulated and recipients of public funding. The National Autonomous University of San Marcos was founded in 1551.

GENDER PARITY: Among the poor, school non-attendance affects girls more than boys. The Constitution provides for equality between men and women. Racial and sexual discrimination in employment advertisements or announcements of educational opportunities are prohibited but occur in practice.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Child labour is a serious problem. There are more than 1.9 million children in work. Some 600,000 are under the age of 12. Many of them are employed in high-risk occupations. Legally, the minimum age for employment is 14. However, children aged 12 and 13 may work in certain jobs to help support their families if they obtain special permission from the Ministry of Labour and certify they are also attending school. Child labour is heavily used in the agricultural sector. In the informal gold mines, many workers are under age 15, and some are as young as 11. These child labourers were pressed into service through a recruitment system known as enganche. Under this system, the children are provided free transportation to the mines and allegedly agree to work for at least 90 days before being paid. They work in harsh conditions without proper medical care, are often subjected to physical and sexual abuse, and at times are deprived of their pay. Ministry of Labour inspections have reduced child labour in the mining sector and other high-risk occupations. As well as suspending some operations for violating the law, inspectors maintain contact with a wide variety of local NGOs and church and school officials. It is fashionable for urban middle-class families to have girls as
domestic servants. In theory, but seldom in practice, households are obliged to permit their girl servants to attend school and to cover other costs, such as social security. Around 100 000 children, aged six to 14 years, work in these slave-like conditions. Laws prohibiting kidnapping and sexual abuse of minors may be used against traffickers, but there is no prevention programme to educate vulnerable groups or to assist victims.

**TRADE UNION RIGHTS:** The Constitution and the law provide for the right of association but worker rights advocates claim that the laws are overly restrictive. The ICFTU states that restrictions of constitutional rights, inherited from the repressive Fujimori regime, remain in force. Among the rights violated are the right of freedom of association and the right to organise and bargain collectively. During 2002, the Labour Commission of the Peruvian Congress was working on a bill to completely reform the General Employment Law. The bill will give trade unions greater independence in conducting their internal operations, facilitating collective bargaining and providing broad assurances on the right to strike. The President made a promise during his election campaign to double teachers’ income by the end of his mandate in July 2006. Public sector teachers currently earn about $US150 a month. 300 000 teachers launched a general strike called by EI affiliate SUTEP, in May 2003. The teachers were seeking a pay increase of the equivalent of US$ 60: nearly three times that proposed by Ministry of Education. Clashes between teachers and the government were so intense the government declared a state of emergency. The strike was suspended on 13 June 2003 when the government finally entered into negotiations with SUTEP.

**EI member organisation / Membership:**
Sindicato Unico de Trabajadores en la Educacion del Peru [SUTEP] / 259 518
EDUCATION RIGHTS: Primary and secondary education is compulsory and tuition is free. In 2002 about 96% of the school-age group were enrolled in primary school. Only 66% are expected to complete the 6th grade. Of the 70% of the eligible student population enrolled in secondary education in 2002, only half of them were expected to graduate. The Department of Education has by far the largest budget of any cabinet department but public spending on primary education has declined appreciably during the last 20 years. Poverty forces many children to drop out of school. Poor families are often unable to meet the costs of such items as uniforms, supplies, shoes, and transportation. Although Pilipino is taught, and in the lower grades local dialects are also used, English is the main language of instruction. Media reports that some private Roman Catholic schools refused to admit students from single-parent households led the Secretary of Education to intervene and stop the practice. In Mindanao clashes between government forces and the insurgent Moro Islamic Liberation Front (MILF) during 2000 displaced hundreds of thousands of children and interrupted their right to a safe environment and an education. In 2003, about 14% of the school population of Mindanao attended Islamic schools. The government is working to integrate these schools into the country’s national education system so they can be fully accredited. Indigenous people, about 16% of the population, live in remote areas and indigenous children lack basic services including education. There are 50 state universities and over 1,700 other institutions of higher education.

GENDER PARITY: More women than men enter secondary and higher education. There are no restrictions in law or practice on the participation by women in politics. A number of women are in positions of leadership and authority, including the President of the Philippines. Women’s salaries average approximately 47% less than their male counterparts.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: Child labour is a very serious problem. There are at least seven million school-age children working, the majority of whom do not attend school. Over four million children under age 17 work in domestic service. According to UNICEF and the ILO, over two million others work in hazardous working environments, including quarries, mines and on docksides. In the agricultural sector, children typically work long hours and are exposed to toxic pesticides and other harmful chemicals. In dangerous coral reef fishing, the child is exposed to shark and needlefish attacks. Their vulnerability to disease is seriously increased in the commercial sex and the foreign paedophile tourist «industry» where, according to NGOs, over 60,000 children are exploited. The garment industry, furniture making, gold mining, food processing, footwear, and plastics industries, and the production and sale of illegal narcotics are all activities that involve children, some as young as five years old. Trafficking in children for the purpose of forced prostitution also
occurs, as does forced and bonded labour of children in other sectors. Domestic NGOs put the number of street children at over one million. The government states the figure is closer to 200 000 with half the total in the Manila urban conurbation. Many street children are abandoned children with no family care or support. They engage in scavenging or begging. The three main dissident militias - the terrorist New People’s Army, the terrorist Abu Sayyaf Group and the insurgent Moro Islamic Liberation Front (MILF) all exploit children as soldiers and non-combatants. Prostitution is illegal in the Philippines but the state recognises the problem. Paedophiles and foreign paedophile tourists are prosecuted and the maximum penalty for child trafficking, or promoting or facilitating child prostitution, is life imprisonment. The government, various state agencies and departments, national and international NGOs, UNICEF, and ILO/IPEC are working to reduce violations of child labour laws and assist children to return to school. They help introduce families to economic alternatives to child labour. All three EI affiliates have developed policies and programmes to combat child labour through improved education and training. Officially, the law prohibits the employment of children below the age of 15, except under the direct and sole responsibility of parents or guardians. The Labour Code allows employment of young people between the ages of 15 and 18 for such hours and periods of the day as are determined by the Secretary of Labour. It forbids employment of persons less than 18 years of age in hazardous or dangerous work.

**TRADE UNION RIGHTS:** The law recognises the right of workers, including public employees, to form and join trade unions, although organising is restricted in the public sector. The right to strike is recognised but the law relating to strikes contains many obstacles. Anyone who organises or directs a «meeting for the purpose of spreading propaganda against the government» is liable to life imprisonment or the death penalty. The term «meeting» covers the notion of picketing during a strike. Public sector workers, including teachers, have limited bargaining rights and are prohibited from resorting to strike action.

**EI member organisation / Membership:**

- Alliance of Concerned Teachers (ACT) / 100 000
- National Alliance of Teachers and Office Workers (SNP-NATOW) / 10 000
- Philippine Public School Teachers Association (PPSTA) / 260 000
EDUCATION RIGHTS: Education is compulsory from age seven until age 18 and is free at public schools. From September 2004, compulsory education will start at age six. There are approximately 480 000 certified teachers and combined primary-secondary school enrolment of 6.5 million students attending 30 733 schools. On completion of the eight year primary school programme about a quarter of the student population attend general secondary schools in preparation for college or university entrance. Other pupils attend vocational and technical schools that provide courses combining vocational and general education, or basic vocational schools which provide three-year courses. According to census figures, over 85% of the population identify as Catholic and clergy receive salaries from the state budget for teaching religion in public schools. The Law of Education provides for the educational rights of ethnic minorities, including the right to be taught in their own language. For example, in the North East of the country pupils of Lithuanian descent may be taught the Lithuanian language from textbooks published at the expense of the Polish Ministry of Education. Parental illiteracy is high in the small Roma community and Roma children start school at a disadvantage. Typically, they are unfamiliar with the Polish language. A number of pilot projects have been introduced with the aim of improving Roma children’s right to an education. Until 1990 access to higher education was limited to a privileged minority. Only 13.1% of students advanced their education further than secondary school. By 2002-03, 45% of secondary school graduates were continuing their studies at university and other institutions of higher learning.

GENDER PARITY: Boys and girls have equal access to education and 60% of students enrolled in higher education are female. Women are employed in a wide variety of professions and occupations and a number of women occupy high positions in government and in the private sector. The Constitution provides for equal rights regardless of gender. In practice women frequently were paid less for equivalent work, held lower level positions, were discharged more quickly, and were less likely to be promoted than men. The 2001 government statistical bulletin indicated that men had a higher employment rate (52.5%) than women (39%) and that women had a higher unemployment rate. Despite having a generally higher level of education, women earned on average 30% less than men. Women were employed in a wide variety of professions and occupations, and a number of women occupied high positions in government and in the private sector. The pension law requires mandatory earlier retirement for women at age 60 (age 65 for men), and as a result women get approximately 60% of the average pension of men. In 2000 the Constitutional Tribunal ruled that the law setting retirement age at 60 for women and 65 for men was discriminatory, as it reduced women’s chances for promotion and better pensions. The Women’s Rights Centre reports there was significant progress in raising public awareness of the problem of violence against women. Legislation required for Poland’s accession to the European Union will require serious attention to violence against women.
ACADEMIC FREEDOM: Reports do not indicate there is government restriction of academic freedom.

CHILD LABOUR: The law contains strict prescriptions about the conditions in which children may work. The Labour Code forbids the employment of children under the age of 15. Those aged 15 to 18 may be employed only if they have completed primary school, if the proposed employment constitutes vocational training and is not harmful to their health. The law prohibits trafficking in persons; however, the country is a source, transit point and destination for trafficked persons including girls and boys. The trafficking of girls for the purpose of prostitution is an increasing problem. According to the NGO, La Strada, in some cases girls have been murdered for resisting traffickers' demands. Numerous NGOs are involved in anti-trafficking initiatives and provide victim services, including safe accommodation and psychological support.

TRADE UNION RIGHTS: The law provides that all civilian workers have the right to establish and join trade unions of their own choosing. The law also provides for and protects enterprise-level collective bargaining over wages and working conditions. A Tripartite Commission is the main forum that determines national-level wage and benefit increases in such politically sensitive areas as the so-called budget sector (health, education, and public employees), while offering opinions on pension indexations, energy pricing, and other major aspects of social policy. The Commission serves as an important forum by which the social partners air differences, discuss grievances, and often negotiate agreements before problems erupt into social conflict. Unions have the right to strike except in «essential services» where they only have the right to protest; labour leaders complain that the law prescribes an overly lengthy process before a strike may be called. Ten persons may form a local union, and 30 may establish a national union. Workers on individual contracts cannot form or join a trade union. In some state-owned enterprises there were cases in which workers had their normal employment contract terminated and replaced by an individual contract that took away rights they formerly enjoyed as permanent employees.

El member organisation / Membership:
National Science Section NSZZ ‘Solidarnosc’ (KSNS) / 24 932
National Education Section NSZZ ‘Solidarnosc’ (SKOW NSZZ) / 70 000
EDUCATION RIGHTS: Not until the mid-1960s did Portugal legislate for primary schooling to be universally available. By the 1990s an amply funded system of public education provides nine years of compulsory, universal education. Primary education (age 6 to 12) and junior secondary school (age 13 to 15) are free. Senior secondary school is available for students aged 16 and 17. Attendance at an early childhood programme is a pre-requisite to first grade enrolment at primary school. The University of Minho has a research centre dedicated solely to the study of children’s issues. There are 167 public and 134 private institutions of higher education. Portugal has five long established universities, including the University of Coimbra, founded in 1290. The University of the Azores is one of eight universities opened during the 20th Century.

GENDER PARITY: The Civil Code provides for full legal equality for women. Women are increasingly represented in business, science, academia, and the professions. A gap, nevertheless, remains between male and female salaries. Women make up approximately 58% of university enrolments.

ACADEMIC FREEDOM: Reports do not cite any restriction of academic freedom by the government. The Constitution guarantees the autonomy of the universities.

CHILD LABOUR: The minimum working age is 16 years. There are instances of illegal child labour, but the overall incidence is small. It is concentrated geographically and tends to relate to particular occupations. In October 2001, the Government undertook a comprehensive study of the child labour problem. The government estimates that 46,717 children on the Portuguese mainland engage in some form of economic activity. Most are unpaid family workers. An increasing number of working children are attending school. The government, in conjunction with NGOs has put in place programmes of education and training in which local teams of social workers and educators intervene in situations involving dropouts, working children, and street children. The government provides some poor families with a minimum income guarantee to ensure that their children are able to remain at school. Portuguese citizens and residents who engage in paedophilia abroad may be prosecuted. Late in 2002, and carrying into 2003, government agents made arrests and continued investigating a paedophile ring that had been active since the 1960s at a boarding school in Lisbon. Revisions to the Penal Code criminalise the trafficking of children under 16 years old for the purposes of sexual exploitation.

TRADE UNION RIGHTS: Workers in both the private and public sectors have the right to associate freely and to establish committees in the workplace. Strikes are permitted, including for political causes. The law requires a ‘minimum level of service’ to be provided during strikes in essential sectors, but this requirement has been infrequently
applied. Unions are free to organise, and collective bargaining is practised extensively in the public and private sectors.

**EI member organisation / Membership:**
- Federação Nacional dos Professores (FENPROF) / 25 050
- Federação Nacional dos Sindicatos da Educação (FNE) / 42 070
- Sindicato Democrático Professores (SINDEP) / 10 000

**FOOTNOTE: RESPONSIBILITIES:** The Azores (Population: 243 000), and Madeira (Population: 273 000). Both archipelagos are autonomous regions.
EDUCATION RIGHTS: Primary education is free and compulsory between the ages of six (or seven) and 16. During the 2001-2002 school year, over 600,000 children received some form of early childhood education, and 2.3 million children, approximately 96% of the compulsory school-age cohort attended school. 740,000 students were enrolled in non-compulsory five year upper secondary school courses. The government reports that 85% of kindergarten teachers and 94% of teachers at other levels are qualified. The National Institute of Statistics has calculated that the school dropout rate for children under age 15 decreased from 20% in 1997-98 to less than one percent by 2001-2002. That year, 94% of classes, at the compulsory level, were taught in Romanian. The education system permits ethnic minorities to be taught in their own language. Hungarian, for example, is the language of instruction in over five percent of schools, a figure that coincides with the size of the ethnic Hungarian community. Census statistics record the Roma population as 535,000, but the European Commission (EC) estimates it to be between 1.1 to 1.5 million. The 2nd edition of the EI Barometer stated that only 50% of Roma children aged seven to 10 years attend school regularly, and one-third never attend or dropout of school completely. These statistics are not confirmed by Romania's Eurydice Report for 2001-2002, which makes no specific reference to Roma. Other sources suggest that the government has introduced programmes aimed at promoting education, and especially higher education, among the Roma. As Romania seeks to make progress towards accession to the European Union (EU), the government is also making efforts to combat racist stereotyping and prejudice towards Roma, which is prevalent in Romanian society. Amnesty International’s (AI) 2003 Report notes an EC comment that there has been no «noticeable reduction in excessive police violence against Roma.» Approximately 60,000 dependent children are confined in orphanages and other state-run homes. Reliable sources report that generally the welfare of children in such institutions is neglected, especially with regard to basic indicators such as hygiene and nutrition. Typically, minors leave these institutions without identity documents, little or no education, and few if any job skills. Enrolment in higher education rose from less than 5% to almost 20% during the 1990s. However, in addition to the countries eight public universities, and other public institutions of good repute, there has been a proliferation of some 75 private ‘universities’. Many, according to official reports, offer inferior or irrelevant courses of study.

GENDER PARITY: The Constitution grants women and men equal rights, but the government does not enforce these provisions. A law, passed in May 2002, prohibits any act of gender discrimination, including sexual harassment, but in practice the authorities focus little attention and provide few resources in support of women’s issues. Women account for 55% of enrolment in higher education. Despite existing laws and educational equality, women have a higher rate of unemployment than men, occupy fewer influential positions in the private sector, and earn lower wages.

ACADEMIC FREEDOM: Higher education institutions have autonomy under the Education Act. They have the right to manage their affairs, and to exercise academic freedom without ideological, political or religious interference.
Reports do not indicate restriction of academic freedom in practice.

**CHILD LABOUR:** There are thousands of destitute homeless, not necessarily orphaned, children on the streets of Bucharest and other urban areas. An UNICEF and Save the Children study estimated that there were 2,500 children living on the streets of the capital in the summer when the number generally peaks. The government did not have statistics defining the scope of the problem nationwide. A law that took affect in November 2001 offers some assistance to poverty stricken children. The law also strengthens the Criminal Code with regard to offences against children, including the trafficking of minors. Despite a number of investigations and arrests the sexual exploitation of children in child pornography, child prostitution, and related worst forms of child labour, remains a serious problem. Romania is both a source and a transit country for trafficking in girls. The minimum age for employment is 16 years but children as young as 15 may work with the consent of their guardians. Violations of child labour laws are punishable by imprisonment, but there is no evidence of anyone being charged or convicted under the law. Working children under the age of 16 are entitled to continue their education and the law obliges employers to assist in this regard. About 8% of the country’s seven to 15 year olds work, with one in seven working children reportedly employed for more than four hours a day.

**TRADE UNION RIGHTS:** All workers, except certain public employees, have the right to form and join unions and engage in collective bargaining. Collective bargaining is complicated by State control of most industrial enterprises and the absence of independent management representatives. Public employees may bargain for everything except salaries, which were set by the government. Cumbersome procedures continue to make the holding of legal strikes difficult. The International Confederation of Trade Unions (ICFTU) reports that the teaching sector is considered as essential to the national interest. Consequently, one third of normal activity must be maintained during a strike. Although the law supports collective bargaining as an institution, the contracts that result are not always enforceable in a consistent manner. Basic wage scales for employees of State-owned enterprises are established through collective bargaining with the government. Unions claim that downsizing decisions resulting from agreements with international financial institutions have violated labour agreements.
EDUCATION RIGHTS: A majority of students receive ten years of education. School is free and compulsory to the 9th grade and free until the 11th grade. Early childhood education is well developed and most children attend a preschool institution before starting primary school at age seven. While federal law entitles all children to an education, regional authorities frequently deny access to schools to the children of unregistered persons, asylum seekers, and migrants because they do not have residential status. There is considerable prejudice in Russian society against persons with disabilities. For example, an enrolment at a Moscow secondary school must be accompanied by a medical certificate affirming that the student is in excellent health. Even persons with slight learning difficulties may find themselves classified as «retarded» and the stigma that attaches to the classification will impede their chances of training and employment. Orphaned children who are categorised as «slow» or intellectually handicapped are frequently institutionalised for life. Misdiagnosis, which is not uncommon, is seldom reconsidered. Even orphans who are classified as 'normal' face a bleak future. State institutions do not provide them with life skills or a vocational education. When they are released from orphanages at 18 years of age, 30% become vagrants, 10% become involved in crime, and 10% commit suicide. Admission to higher education is selective and highly competitive. Some secondary schools have special agreements with universities, giving their students preferential access. Higher education is seriously under-funded and institutions have cut back on staff and research. Many faculty members rely on extracurricular income.

GENDER PARITY: Girls and boys are treated equally in the school system. About 57% of female secondary school graduates continue to higher education. According to an ILO 2001 report, women account for about 47% of the working-age population but on average earn only two-thirds of the salaries of their male counterparts. Professions dominated by women are even less paid than those dominated by men, which are already poorly paid.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom.

CHILD LABOUR: The Labour Code prohibits regular employment for children under the age of 16 and also regulates the working conditions of children under the age of 18, including banning dangerous, night time and overtime work. Children may, under certain specific conditions, work in apprenticeship or internship programmes at the ages of 14 and 15. An ILO survey of children in the 9 to 15 age group found that the average age when some employment was first undertaken was 12.5 years. Over half the children in the survey worked regularly and 25% worked more than 20 hours per week. Estimates of the number of homeless children on the streets vary greatly. According to the Russian Children’s Fund, the figure is 2.5 million children. Other estimates range between one and four million. Trafficking in young girls by Russian organised crime is recognised as a problem but there are no accurate estimates of its scope. So far, attempts to curb the practice have had little if any impact on the problem.
TRADE UNION RIGHTS: A New Labour Code (NLC) entered into force in February 2003. The IGFTU states that the Code is bitterly opposed by many unions for weakening their rights, particularly those of smaller unions. The NLC favours short-term contracts which, as well as threatening job stability, makes organising more difficult. The Code retains the right of collective bargaining. A positive aspect of the NLC is that workers can walk off the job if their pay is more than 15 days overdue, and they cannot be fired for taking subsequent strike action. Immediately following the passage of the NLC, members of EI’s affiliate, ESEUR, took to the streets with two million people in February 2003. Rallies and demonstrations organised by the Union in 85 regions across Russia were backed up by short-term strikes, meetings and a petition signed by over 600 000 people. Demands for a pay increase for teachers and for an increase in the minimum amount of student scholarships were made to the supreme legislative and executive bodies. Negotiations to resolve the reform of the pay system have been postponed and will be reconsidered with the participation of the unions. EI’s General Secretary supported ESEUR by writing directly to President Putin.

EI member organisation / Membership:
Education and Science Employees’ Union of Russia (ESEUR) / 3 500 000
EDUCATION RIGHTS: Rwanda is the most densely populated country in Africa. It has few natural resources and 70% of its people live below the poverty line. The 1994 genocide destroyed the country’s social fabric and infrastructure. A generation of children were deprived of education and bore witness to horrendous slaughter and massive displacement. Among the 103 000 citizens detained on genocide or security related charges are some 4 500 who were juveniles, 14 years and over in 1994. Children who committed atrocities but were under 14 years of age in 1994 have been deemed not legally responsible. Although the composition of the population was almost certainly affected by the genocide, the extent and nature of the effect remains unknown. In 2002-2003, the government attempted to provide some education to every child. Basic education is not free but the government waives fees for orphans. Public schools cannot accommodate all children of primary school age and they lack essential basic supplies. Entry to secondary schools is by examination. Only 4% of the citizens of Rwanda have completed secondary education and only 15 000 persons in the entire country are university graduates. Nevertheless, statistics these statistics, the number of tertiary students improved nearly three-fold between 1998 and 2000. Any assessment of education in Rwanda must take into account that genocide left 85 000 children and young persons as household heads. Access to education, at any level, is negligible for the indigenous Batwa/Twa peoples. They remain a marginalised ethnic group, are treated as inferiors, and lacking formal education they are poorly placed to defend their interests.

GENDER PARITY: Genocide left many women as heads of households. Women have assumed a larger role in society and the economy although they continue to have limited educational opportunities. The government has introduced scholarships for girls at primary and secondary level. Females now account for approximately a third of tertiary level enrolments and 52% of primary school teachers are women.

ACADEMIC FREEDOM: In general terms, academic freedom is not restricted at the Rwanda National University. The small private institutions - the Roman Catholic University and the Free University of Kigali - are not controlled.

CHILD LABOUR: Except for subsistence agriculture, the law prohibits children under age 18 from working without their parents’ or guardians’ permission. Apprenticeships may begin at age 14, provided the child has completed primary school. Given the fact that some 85 000 children under the age of 18 are heads of households, a rigid enforcement of these labour laws is impractical, but it is rare to see child labour outside the agriculture sector. However, UNICEF estimates that there are 7 000 street children in Kigali. Local authorities periodically round up street children and place them in foster homes or forcibly place them in a Centre run by the Ministry of Local Government at Gitagata. The Centre has a capacity of 400 to 500 but has held up to 1 000 children. Reports of sexual abuse of girls are common.
TRADE UNION RIGHTS: As with all other aspects of life in Rwanda, labour rights are still recovering from the effects of the 1994 genocide. The International Confederation of Free Trade Unions (ICFTU) reports that unions operate in a climate of fear, face government interference, anti-union employers and a lack of infrastructure to protect their rights. A new Labour Code came into force on 1 March 2002. Some of its elements look acceptable on paper, but there is an institutional vacuum when it comes to applying and monitoring the legislation. Union membership is open to all salaried workers, including public sector employees. The right to strike is recognised, except for public service workers and workers in essential services. The definition of these services is too broad to be compatible with ILO standards. The government says it is reviewing the Code in regard to the status of civil servants, and that under the new draft civil servants will have the same rights and liberties as other citizens. This vague choice of words implies they will be allowed to strike. Other proposals under consideration could prohibit state employees from expressing political, philosophical or trade union opinions. Most union members are in the public sector, and the government is intimately involved in collective bargaining.

EI member organisation / Membership:
Equipes Enseignantes du Rwanda (EER) / 5200
Syndicat National des Enseignants du Primaire (SNEP) / 15047
EDUCATION RIGHTS: Education is free, universal and compulsory from age five to 16 years. 98% of children complete compulsory schooling. There are 25 primary, six secondary schools, and a college of further education. The Federation participates in the regional University of the West Indies. There are about 400 tertiary students. No legislation exists to protect persons with disabilities, but the Constitution and the government prohibit discrimination in employment, education, and other state services.

GENDER PARITY: There are no legal impediments to the participation of women in government and politics. Analyses suggest that there is veiled discrimination against women in employment. The role of women in society is not restricted by law but is curtailed by culture and tradition. The Department of Gender Affairs promotes women’s issues, including a «Return Teen Mothers to School Programme» encouraging young mothers to complete their education. It was active in the areas of domestic violence, spousal abuse, and abandonment.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: The minimum legal working age is 14 years. School truant officers and the Labour Ministry effectively monitor compliance. The government has incorporated most of the provisions of the United Nations Convention of the Rights of the Child (UNCRC) into domestic legislation.

TRADE UNION RIGHTS: The Constitution provides for the right of all workers to form and belong to trade unions or, in the case of public servants, associations that serve as unions. Unions are free to organise and to negotiate for better wages and benefits for union members. The right to strike is well established and respected in practice. The major union is closely associated with the government. In December 2002, the parliamentary opposition and the teacher unions alleged abuse of parliamentary privilege when government members made defamatory remarks about the presidents of the teacher unions. The opposition party claimed that the comments were intended to undermine the growth and influence of the education sector.

FOOTNOTE: The island of Nevis has considerable self-government, with its own premier and legislature.
SAINT LUCIA

Population: 160,145

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>30.6%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td></td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td>100%</td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>35</td>
</tr>
</tbody>
</table>

| % GNP spent on education: | 5.8% |
| Life expectancy at birth: | m: 69 - f: 75 |
| School life expectancy [years]: |       |
| % 2000 cohort reaching grade 5: |       |
| Tertiary students per 100,000: | 3,881 |
| % government expenditure on education: | 16.9 |

Ratification of ILO conventions: 29 87 98 100 105 111 138 169 182

EDUCATION RIGHTS: Improving the education system is a stated high priority for the government. Education is compulsory between the ages of five and 15 years. A registration fee is charged to parents at both primary and secondary schools. Books and other materials are free at both primary and secondary levels. There are 87 primary schools and 16 secondary schools. There are schools for the hearing and visually impaired up to the secondary level. The state also operates a school for children who are intellectually challenged. Only about one-third of primary school graduates continue on to secondary school. A training school houses troubled juvenile boys between 12 and 18 years of age. There is a community college, a teacher training college, and a branch of the University of the West Indies in the capital, Castries. No specific legislation protects the rights of persons with disabilities.

GENDER PARITY: Girls are less likely to drop-out of school at the post-primary level and female students account for over 50% of enrolments at the tertiary level. The number of female, primary teachers increased from 82% in 1990 to 86% in 2000 according to the Education For all (EFA) Global Monitoring Report for 2003/2004. There are no legal impediments to participation by women in government or politics. Women’s affairs are under the jurisdiction of the Ministry of Home Affairs and Gender. The Ministry is responsible for protecting women’s rights and preventing discrimination against women, including ensuring equal treatment in employment.

ACADEMIC FREEDOM: Reports do not indicate any governmental restriction of academic freedom.

CHILD LABOUR: The Labour Code stipulates a minimum legal working age of 14 years, but during 2002 the government gave consideration to setting the minimum working age at 16 years. The minimum legal working age for industrial work is 18, and will not be affected by the proposed change. School children in rural areas help with harvesting, and in the urban areas children typically work food stalls, but both activities tend to occur during school holidays and festivals.

TRADE UNION RIGHTS: The Constitution specifies the right of workers to form and belong to trade unions, and most public sector employees are unionised. Strikes in both the public and private sectors are legal. Unions have the legal right to engage in collective bargaining. The government consults with the St Lucia Teachers’ Union.

EI member organisation / Membership:
St Lucia Teachers’ Union [SLTU] / 2,920
EDUCATION RIGHTS: The latest Education For All (EFA) report has identified the country as being at risk of not achieving universal primary education by 2015. The government cites lack of funding for new schools as the main reason for not introducing a compulsory education system. Paradoxically, the government claims that it investigates cases where children are withdrawn from school before the age of 16. Reliable sources report that attendance is erratic at the government’s 60 primary schools and that as many as ten percent of school-age children do not attend school at all. The teacher union estimated that between 8 and 10% of secondary school age children did not attend school during 2002. There are two public secondary schools and a government sponsored apprenticeship programme, which in 2002 attracted 440 older children interested in learning a trade. Church organisations are responsible for 19 secondary schools. There is a teacher college and a community college. University students travel to one of the campuses of the regional University of the West Indies or study extramurally. No specific legislation deals with the rights of persons with disabilities and their circumstances are generally difficult.

GENDER PARITY: The EFA Global Monitoring Report of 2003/2004 shows that the number of female teachers has increased from approximately 64% in 1990 to 66% by 2000. Reliable up-to-date statistics on gender literacy and school attendance are not available. There are no legal impediments to women’s full participation in politics or government. A human rights education programme has resulted in increasing numbers of women laying domestic violence complaints. The Office of Gender Affairs is under the Ministry of Education, Women’s Affairs, and Culture. This office assists the National Council of Women with training programmes and public relations. The minimum wage law specifies that women should receive equal pay for equal work. Infant mortality rates are still very high at 21 deaths per 1 000 live births, in part due to the large number of children born to teenage mothers.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom.

CHILD LABOUR: Children work on family-owned banana plantations, particularly during harvest time, or in family-owned cottage industries. The law sets the minimum working age at 16 years, and workers may now receive a national insurance card at that age.

TRADE UNION RIGHTS: Workers have the constitutional right to freedom of association but there is no law that requires employers to recognise unions or recognise a particular union as an exclusive bargaining agent. Less than 10% of the workforce is unionised. There is no general prohibition against strikes.

El member organisation / Membership: St Vincent and the Grenadines Teachers’ Union [SVGTU] / 1 200
EDUCATION RIGHTS: Although the Constitution is silent on the subject Samoa derives its commitment to basic education for all its children from its accession to the United Nations Convention on the Rights of the Child (UN CRC). Education is provided by the government and church-sponsored schools. It is free and compulsory from the age of 6 to age 16 years. Instruction in all schools is bilingual, in Samoan and English, but achieving basic literacy in Samoan takes precedence in the early primary grades. Samoan education policy strategy documents for the period 1995-2005 place particular emphasis on radio broadcasts and the expanded use of video and television as valuable supplementary and cost effective means of improving primary school learning. Most teachers are qualified. The problem is that there is a shortage of teachers and some schools in the country’s only city, Apia, are overcrowded. The National University of Samoa includes a faculty of education which, as part of upgrading and reforming the country’s teacher training, replaced the country’s teacher college. Samoa’s School of Agriculture is a constituent campus of the University of the South Pacific. Discrimination based on race, sex, disability, language, or social status is prohibited constitutionally. There is no supporting legislation pertaining to the status of persons with disabilities or regarding accessibility to government services, including education.

GENDER PARITY: Boys and girls are treated equally and attend primary school in approximately equal percentages. Young women are more likely than young men to complete secondary education and there is gender parity at the tertiary level. Women make up 74% of primary teachers.

ACADEMIC FREEDOM: The Constitution provides for freedom of speech and reports indicate that academic freedom is generally respected. Samoa is one of 12 countries that own the University of the South Pacific and the state recognises the independence of that institution. (See also Fiji)

CHILD LABOUR: It is illegal to employ children younger than age 15, except in ‘safe and light work’. Complaints about illegal child labour are referred to the Attorney General for enforcement. Children are frequently seen selling goods and foodstuffs on Apia street corners. Local officials usually overlook this technical breach of the Labour Act. The Act does not apply to service rendered to matai [family heads], some of whom require children to work for the village, primarily on village farms.

TRADE UNION RIGHTS: The Public Service Association [PSA] represents government workers, an important sector of the formal workforce. The PSA functions as a union. All workers have the legal right to engage in collective bargaining but it is seldom practised. However, the PSA engages in collective bargaining on behalf of government workers, including bargaining on wages. Under the law, workers may strike.

EI member organisation / Membership: Samoa Teachers’ Association (STA) / 900
EDUCATION RIGHTS: When São Tomé and Príncipe gained independence from Portugal in 1975, only 20% of the population could read and write and education was limited to the country’s elite. Post-independence governments made it a top priority to extend education, investing in new schools and launching an adult literacy campaign. Today, approximately 62% of women and 85% of men are considered literate. In recent years the education sector has faced problems; namely a shortage of classrooms, with as many as 70 children per class; a teaching corps that is insufficiently trained and badly paid; and inadequate levels of books and learning materials. Adult literacy programmes have also been halted and there has been a reduction in the number of foreign scholarships available. The current government appears dependent on donor-funded programmes to improve classroom conditions, including the purchase of school equipment. Education is free and compulsory through grade 6, or age 14, whichever comes first. Secondary education, grades 7-9, is not free. The law does not mandate access services for persons with disabilities.

GENDER PARITY: The Constitution gives women and men equal political, economic, and social rights. Many women have access to opportunities in education, business, and government, but in practice women still encounter significant societal discrimination. There are no differences between the treatment of girls and boys in regard to education. Traditional beliefs, however, concerning the division of labour between men and women leave women with much of the hard work in agriculture, with most child-rearing responsibilities, and with fewer educational opportunities and less access to the professions. In spite of societal problems, women have a profile in business and government. For example, both the Prime Minister in 2002, and the President of the 3-member Supreme Court are women. 64% of primary school teachers are female.

ACADEMIC FREEDOM: Reports do not indicate any government restriction of academic freedom at the Liceu in São Tomé City, which teaches pre-university level education. There is no university in the Republic.

CHILD LABOUR: The minimum employment age is 14 years, or 18 years for dangerous jobs and those requiring heavy manual labour. The law prohibits minors from working more than 7 hours a day and 35 hours a week. Although no cases of child labour abuses have been prosecuted, the law states that employers can be fined for employing underage workers. In subsistence agriculture, on plantations, and in informal commerce, children do work, sometimes from an early age. Forced and bonded labour of children is prohibited and does not occur. The government has not ratified either of the fundamental ILO Conventions on child labour.

TRADE UNION RIGHTS: The Constitution provides for freedom of association, the right to strike and for workers to organise and bargain collectively. The small, public sector work force makes up the great majority of wage earn-
ers and is unionised. As the principal employer in the country, the government is the key determinant of all labour issues, including wages.

**EI member organisation / Membership:**
Sindicato dos Professores e Educadores de São Tomé e Príncipe (SINPRESTEP) / 949

**FOOTNOTE:** Earlier estimates put the population at between 155 000 and 170 000. The current figure is according to the 2002 census.

**FOOTNOTE 2:** Príncipe, where about 5% of the population lives, has had self-government since 1995.

**FOOTNOTE 3:** In July 2003, the country experienced a weeklong coup while the President was out of the country. The coup was instigated by disgruntled members of the armed forces. Some commentators suggested that it was not a coincidence that the coup occurred after the discovery of exploitable offshore oil deposits.
EDUCATION RIGHTS: Senegal has deep-seated urban problems. Chronic unemployment is a major concern, and with 40% of urban youth without jobs or the prospect of work, juvenile delinquency and drug addiction are endemic. Education in Senegal is, in theory, compulsory for all children between the ages of six and 12. The legal requirement is not enforced due to a shortage of schools and teachers. As reported in previous editions of the EI Barometer, the government, within its limited means, continues to increase the number of classrooms and encourages more children, especially girls to enter and stay at school. Approximately 70% of school-age pupils were at school during 2002-2003. According to the Education For All (EFA) Global Monitoring Report, only 24% of primary school teachers were women.

GENDER PARITY: Women, constitutionally, are equal under the law but social discrimination against women is pervasive. Legally men are considered heads of household. This results in women paying higher taxes than men for equal wages. Employers pay child allowances to men, not to women. Only 23% of adult females were literate by 2002. Urban women encounter less discrimination than women in rural areas, are likely to be better educated, and are active in politics, business and the legal profession. The government has committed itself to providing equal access for girls to primary education. 67% of girls in the eligible age group were enrolled in primary education for the school year 2002-2003, only 8% behind boys. Female genital mutilation (FGM) is a criminal offence and charges have been laid against practitioners. The government sponsors programmes, with funding from the WHO, to educate women regarding the dangers of the practice.

ACADEMIC FREEDOM: The teacher unions continue to seek change to the law relating to the independence of the universities, because it allows for the intervention of state authorities on campus in certain circumstances. Meetings by students on the campuses of the University of Dakar and the University at St-Louis are banned, ostensibly to prevent militant student groups from disrupting classes and studies. The prohibition does not apply to halls of residence.

CHILD LABOUR: The Constitution bans child labour and the government enforces this ban in the formal sector. According to law, the minimum age for employment is 16 years for apprenticeships and 18 for all other types of work. However, in the traditional or informal sectors of the economy, the government does not enforce minimum age and other workplace regulations. Organised street begging by children who are Koranic students results in a significant interruption to their education. Many children work in their families’ subsistence farming fields and do not attend school. A three-year ILO/IPEC programme to combat child labour, which began in 1998, has been extended for an additional two years.
TRADE UNION RIGHTS: The Constitution and the Labour Code provide all workers with the right to freedom of association, and they are free to form or join unions. However, a union’s legality is determined by the Ministry of the Interior. The ILO has criticised legislation which allows the government to disband a union if it deviates from its charter. Public sector unions must give at least one month’s notice of strike action. The law also provides unions with the right to organise and to bargain collectively. The small industrial component of the workforce is almost totally unionised.

El member organisation / Membership:
Syndicat National de l’Enseignement Elémentaire (SNEEL) / 6 300
Syndicat des Professeurs du Sénégal (SYPROS) / 1 534
Syndicat Unique et Démocratique des Enseignants du Sénégal (SUDES) / 10 000
Union Démocratique des Enseignants du Sénégal (UDEN) / 8 000
EDUCATION RIGHTS: Primary education is free and compulsory for eight years. The government has attempted to meet the health and educational needs of children but the economic situation of the country has affected children adversely in both the education and health care systems. Serbia has a large number of minority groups of differing ethnicities. The province of Vojvodina, for example, has no less than 26 ethnic groups. While Serbs are by far the largest group among its over two million citizens, there are sizeable minorities of Hungarians, Slovaks, Montenegrins, Rumanians, Roma, and Bunjevacs. Besides the Serbian language, the Statute of Vojvodina permits the official use of four other languages. At the Province’s 539 primary schools, 110 secondary schools and the University of Novi Sad, classes are held in the recognised minority languages as well as in Serb. The Constitution of the Republic of Serbia also guarantees the rights of recognised minorities to be taught in their mother tongue. There are complicating factors. Although the official Serbian alphabet is Cyrillic, the Latin alphabet is also used, especially by minority groups. Minorities, especially the 300 000 strong Hungarian communities, complain that their demands for separate curricula have not been heeded. Roma children face particular difficulties. They rarely attend kindergartens and some do not attend primary school. This can be because of family reasons, societal prejudice, or because they were judged to be unqualified. Due to this lack of primary schooling, many Roma children have not learnt to speak Serbian, and no instruction is available in the Romani language. Some Roma children were mistakenly placed in schools for children with emotional disabilities, because Romani language and cultural norms made it difficult for them to succeed on standardised tests in Serbian. In February 2002, the federal Minorities Law recognised the Roma in Serbia and Montenegro as a national minority, explicitly banning discrimination and calling for government measures to improve their condition. The UNHCR, with Serbian government support, has begun health education programmes for Roma, and catch-up and head-start programmes for Roma children. Since the collapse of the previous regime, international donors have assisted Serbia to repair and rebuild schools and other educational facilities destroyed or damaged by aerial bombing. The Republic, in consultation with its educational unions, has set about introducing major reforms to its education programmes at both primary and secondary levels. In September 2003, the Serbian Statistical Bureau announced that 3.45% of Serbia’s population above 10 years were illiterate. The largest group identified as illiterate were Roma (19.6%). According to UNHCR, as at February 2002 there were 200 000 internally displaced persons (IDPs) from Kosovo in Serbia and a further 30 000 in Montenegro.

GENDER PARITY: Boys and girls have equal access to education. Women make up 52% of students enrolled in higher education. Despite this, women still do not enjoy social status equal to that of men, and relatively few women obtain upper level positions in government and commerce. Legally women are entitled to equal pay for work of equal value; however, according to the International Helsinki Federation for Human Rights, women’s average wage was 11% lower than the average wage of men. Maternity leave for one year, with an additional 6 months if required, is available to
women. In urban areas women are represented widely in many professions and are also active in political and human rights organisations.

ACADEMIC FREEDOM: Neither the Federal nor the Republic government restricts academic freedom. In April 2002, the Serbian Parliament passed a new law designed to protect universities from political interference. According to the law, the academic body will select university rectors and faculty deans without interference from the Ministry of Education.

CHILD LABOUR: The minimum age for employment is 16 years, although in villages and farming communities it is not unusual to find younger children at work assisting their families. In urban centres, in particular, children can be found in a variety of unofficial ‘retail’ jobs, typically washing car windows or selling small items such as cigarettes. Serbia is a source, transit and destination point for trafficking in girls for the purpose of forced prostitution. Serbian law specifically forbids trafficking, although there is little information about its enforcement.

TRADE UNION RIGHTS: A labour law approved by the ILO entered into force in December 2001, which provides for the right of association. Collective bargaining is considered to be fairly rudimentary. There is a right to strike but in Serbia the right is restricted for employees in «essential service production enterprises», such as education. The intention to strike must be announced at least 15 days in advance and an assurance given that a «minimum level of work» will be provided. Freedom of association has resulted in the appearance of a number of labour federations. Due to the poor state of the economy, one-third of union workers, or 600 000 persons, were on long-term mandatory leave from their firms pending improvement of the economy. The largely splintered approach of the independent unions resulted in few achievements in terms of increased wages or improved working conditions.

**EI member organisation / Membership:**

Teachers’ Union of Serbia (TUS) / 75 000
Nezavisnost Teachers’ Trade Union (NTTU) / 20 000

Data for Serbia, including Montenegro and Kosovo.

The Federal Republic of Yugoslavia (FRY) was admitted as a member of the United Nations (UN) on 1 November 2000. Following the adoption and promulgation of the Constitutional Charter of Serbia and Montenegro by the Assembly of the FRY on 4 February 2003, the name of the State was changed to Serbia and Montenegro. Serbia and Montenegro includes the semi-autonomous region of Vojvodina and, within its physical boundaries, the territory of Kosovo.

Because education and labour rights have different legislation in Serbia, Montenegro and Kosovo, the three regions are reported upon separately. They have their own parliaments and, while their education systems have elements in common, they are separately organised and are developing independently under their respective responsible Ministries.
EDUCATION RIGHTS: On 18 January 2002, the devastating 11-year civil conflict ended with the government gaining control of the entire country. The conflict costs tens of thousands of lives and displaced more than one third of the population. Children suffered physically and emotionally throughout the war and more than a generation of children were deprived of its right to an education. The government is committed to provide for the needs of the country’s children and youth, who lack basic skills, but it does not have the means to adequately deliver on that commitment. The law requires primary school attendance but most schools were looted and destroyed during the insurgency. Despite the fact that primary school is compulsory, most of the costs are borne by parents and guardians through formal and informal fees. Many families cannot afford such costs. There is also a severe shortage of teachers, especially trained teachers. In 2002, it was estimated that in addition to 250,000 internally displaced persons (IDPs), there were 135,000 refugees in neighbouring states waiting to be resettled. The country’s University, in Freetown, while not fully restored, was functioning in 2003. The government has identified education as crucial to the restoration of social cohesion. A new education Act devolves considerable freedom to local authorities so that communities have more say in the education of their children. And in recognition of the fact that illiteracy contributes to the breakdown of society, the government has placed an emphasis on adult literacy schemes. School curricula reforms include peace and citizenship issues, and HIV/AIDS education.

GENDER PARITY: Girls do not have, and have not had in the past, the same access to education as boys. About half the adult male population are literate or semi-literate, as distinct from 20 percent of adult women. Males predominate at university at a ratio of four to one. A number of NGOs are working to eradicate female genital mutilation (FGM) which is practised widely. Prostitution was widespread. Many women and girls, particularly those with few resources who had been displaced, resorted to prostitution as a means to support themselves and their children.

ACADEMIC FREEDOM: The government does not restrict academic freedom.

CHILD LABOUR: The Minimum working age is 18 but children aged 12 to 17 may work in certain non-hazardous occupations with parental consent. Children routinely assist in family businesses, especially those of vendors and petty traders. In rural areas, children work seasonally on family subsistence farms. Few children are involved in the industrial sector. There have been reports that young children have been hired by foreign employers to work as domestics overseas at extremely low wages and in poor conditions. At the height of the civil conflict, children fought on the government side and, usually under duress, for the various rebel factions. Child soldiers fighting for the rebels were untrained, undisciplined, unsupervised and as young as eight years of age. They committed many atrocities. Reunification of former child soldiers with their families has required formal and informal rehabilitation programmes. Within its limited means the
government has added guidance and counselling, especially trauma counselling, into its school and adult education programmes. Girls represented 8% of demobilised child soldiers, and 30% of reunified non-combatant separated children. Human rights monitors estimated that girls represented 50% of those abducted during the war and reported that the rebels released a disproportionate numbers of boys. This has led these groups to fear that many girls continued to be held as sex slaves.

**TRADE UNION RIGHTS:** The Constitution provides that workers, including civil servants, have the right of association and the right to organise and bargain collectively. Workers have the right to strike. There were several significant strikes in the public sector during 2002. Most notably teachers and doctors went on strike over wages and unpaid salaries in the form of work stoppages and sickouts. EI affiliate, SLTU, working with the Sierra Leone Trade Union Congress, has played a major role in organising civil society since the end of hostilities.

**EI member organisation / Membership:**
Sierra Leone Teachers’ Union (SLTU) / 18 543
EDUCATION RIGHTS: The 2nd edition of the EI Barometer stated that almost 100% of Singapore’s children attended school to at least the 6th grade, although attendance was not compulsory. Since 2003 at least six years of schooling is compulsory. Ethnic Malays, about 15% of the population, are constitutionally acknowledged as an indigenous people. The government provides incentives for Malay students to continue education to post-secondary levels. Children in care, typically orphaned, abused or troubled children, are well catered for by state funded organisations. Delinquent children are dealt with by a juvenile court system. Children with special needs, including disabled children, are encouraged to claim the full benefits of the education system through to university. Parents and caregivers supporting such children may be eligible for recompense from the state. The National University of Singapore was founded in 1980 with the merger of the University of Singapore and Nanyang University. There are numerous other institutions of higher learning.

GENDER PARITY: Adult women are more likely than adult males to be functionally illiterate but the gap is narrowing. Females enjoy the same legal rights as males in their entitlement to a full education. Singapore is one of the few countries in the world where domestic violence is not considered a significant problem. Constitutionally all persons are equal before the law and entitled to the equal protection. No explicit provision provides equal rights for women and minorities. The government has taken measures to ensure racial, ethnic, religious, and cultural non-discrimination. Social, economic, and cultural benefits and facilities are available to all citizens regardless of race, religion, or sex.

ACADEMIC FREEDOM: All public institutions of higher learning are linked to the government but academic freedom appears to be tolerated. University faculty members publish widely, and lively debate on non-partisan social and political issues is encouraged. However, discretion and self-censorship on sensitive issues applies and local academics are very aware of the government’s viewpoint.

CHILD LABOUR: Restrictions on the employment of children aged 12 to 16 are rigorously enforced. Employers must notify the Ministry of Labour and provide a medical certificate if they hire a child aged 14 to 16. Children under the age of 14 are prohibited from employment in any industrial undertaking, but a child of 12 years or older may engage in light work. Minors may not work on commercial vessels, or with any machinery in motion, or electrical equipment lacking effective insulation, or in any underground job. The Ministry of Labour effectively enforces these laws and regulations. Trafficking in children carries severe penalties.

TRADE UNION RIGHTS: The International Confederation of Free Trade Unions (ICFTU) 2003 survey observes that, although legislative amendments to worker rights are positive, several obsolete restrictions remain on the statute books. The Confederation also commented that there is still no legal right to form or join trade unions in the public sec-
tor. In practice, the President, using his discretionary powers, has allowed exemptions over recent years to such an extent that all but the most senior civil servants are able to unionise. No strikes have occurred in Singapore since 1986.

EI member organisation / Membership:
Singapore Chinese Teachers’ Union (SCTU) / 1 000
Singapore Tamil Teachers’ Union (STTU) / 365
Singapore Teachers’ Union (STU) / 7 050
Union of Institute of Technical Education Training Staff (UITETS) / 1 300
EDUCATION RIGHTS: Compulsory education, which is free at public schools, begins usually at age six and typically lasts to the end of the school year when a student turns 16. The 2001-02 statistics show that 82% of five-year-olds were enrolled in an early childhood programme. Some 602,360 children enrolled in primary education in 2002-03. After completing primary school, students may choose between gymnasiums, specialised schools (including conservatories), or vocational or technical schools. Their total enrolment in 2002-03 was 320,000. The largest ethnic minority is Hungarian, representing approximately 9.8% of the population. The Constitution provides for the Hungarian and other minorities to develop their own culture and to receive information and education in their mother tongue. The establishment of a Hungarian university is a priority for the present government. Officially the Roma population is 90,000, but other estimates suggest it approaches 500,000. Slovakia has an indifferent record in its treatment of Roma children. Historically the compulsory schooling requirement has not been strictly applied to Roma children. They are often placed in special schools intended for the intellectually disabled. One rationale for this segregation was that Roma tended to be illiterate in the Slovak language. Since 1999, with a view to EU membership, the government has initiated special projects aimed at improving the treatment of Roma in education. In 2002, Slovakia introduced assistant teachers at early childhood and primary schools to prepare Roma children for the mainstream of the education system. Issues on drug abuse prevention and AIDS prevention have become part of curricula in schools. Slovakia has 20 institutions of higher education. They had a combined enrolment of 147,566 in the 2002-03 academic year.

GENDER PARITY: Females enrol at school and at university at the same rate as males. Women are equal under the law, but earn less on average than men for the same work.

ACADEMIC FREEDOM: The current government does not restrict academic freedom in general terms. However, corrupt practices may result in unequal access to higher education. A reliable source suggests that wealthy students use bribery to improve their chances for acceptance into some prestigious faculties. This disadvantages students from poorer backgrounds.

CHILD LABOUR: The law sets the minimum employment age at 15. Workers under the age of 16 may not work more than 33 hours a week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protection, although somewhat less stringent, apply to young workers up to the age of 18. The Law prohibits trafficking but there is trafficking in girls for purposes of prostitution, including forced prostitution. The country is a source, transit point and a destination for victims of trafficking.
TRADE UNION RIGHTS: The Constitution provides for the right of workers to form and join unions. The law provides for collective bargaining and the legal right to strike if the strike action relates to collective bargaining. Approximately 65% of the education sector is organised which is substantially higher than for the work force as a whole.

**EI member organisation / Membership:**
- Trade Union of Workers in Education and Science (OZPSol) / 100 000
- Teachers’ Forum of Slovakia (TFS/UFS) / 32 000
EDUCATION RIGHTS: Free, compulsory and universal education is provided to the completion of the 9th grade (ages 14 and 15) and standards are high. Social workers routinely visit schools to monitor any incidents of mistreatment or abuse of children. Early childhood programmes are widely available (there were 808 pre-school facilities in 2001 catering for 53 000 children aged three to six). Government policy pays special attention to introducing children from the small Roma community to formal education at the pre-school stage. Slovene is the official language of the Republic but, in areas with Italian and Hungarian minorities, those languages are also official and the children of those communities are entitled to bilingual education. School age children of foreign citizens and stateless persons have the same rights to education as Slovenians. Most students receive post-secondary or higher education. There are 30 tertiary institutions including two universities. The school-leaving examination offers 33 subjects and two languages [Slovene and Italian] and the universities accept the results as the sole basis for selection. It is a policy of the education system to integrate children with special needs into normal schools and regular classrooms.

GENDER PARITY: State policy provides equal rights for women. Females and males enrol in equal numbers at all levels of education except tertiary where women make up 58% of the student population. However, on average women’s earnings are reported to be 85% of those of men.

ACADEMIC FREEDOM: The Constitution provides for the autonomy of Slovenia’s two universities and at other institutions of higher education. Reports do not cite any government violation, in practice, of academic freedom.

CHILD LABOUR: The minimum age for employment is 16. During harvest or for other farm work, younger children do work. In general, urban employers respect the age limits.

TRADE UNION RIGHTS: The Constitution stipulates that trade unions, their operation, and their membership shall be free and provides for the right to strike. Collective bargaining remains limited. In the private sector, wages and working conditions are agreed upon annually between the labour unions and the Chamber of Economy. In the public sector the government and union representatives negotiate work-related matters, including wages.

EI member organisation / Membership:
Education and Scientific Workers Union of Slovenia (ESTUS) / 30 000
SOLOMON ISLANDS

Population: 494,786

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>43.3%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td></td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td></td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td>24</td>
</tr>
<tr>
<td>% GNP spent on education:</td>
<td>3.6%</td>
</tr>
<tr>
<td>Life expectancy at birth:</td>
<td>m: 69 - f: 74</td>
</tr>
<tr>
<td>School life expectancy [years]:</td>
<td></td>
</tr>
<tr>
<td>% 2000 cohort reaching grade 5:</td>
<td></td>
</tr>
<tr>
<td>Tertiary students per 100,000:</td>
<td></td>
</tr>
<tr>
<td>% government expenditure on education:</td>
<td>15.4</td>
</tr>
</tbody>
</table>

Ratification of ILO conventions: 29  87  98 100 105 111 138 169 182

EDUCATION RIGHTS: Education is not compulsory. According to some estimates less than 60% of school age children have access to primary education. Only 30% of students who complete primary school are able to progress to secondary education owing to limited facilities. Militia leaders exploited unemployed youth squeezed out of the school system who were unable to return to a village-based lifestyle. During the ethnic motivated crisis some schools ceased to function. Melanesian Pidgin is the lingua franca. English is the official language although it is spoken by only 1 or 2% of the population. The country has one educational facility for disabled children, which is almost entirely supported by the Red Cross. Persons with mental disabilities are cared for within the family structure with no government facilities existing to help provide education for them.

GENDER PARITY: Fewer girls than boys have access to education at any level. Despite constitutional and legal protections, women remain the victims of discrimination in this tradition-based society. Unemployment is high. In 2002 the state acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The society is a very traditional, male-dominated, and women are limited to customary family roles preventing them from taking a more active role in economic and political life. The majority of women are illiterate and this is attributed in large part to cultural barriers.

ACADEMIC FREEDOM: Solomon Islands is one of 12 countries which jointly owns the University of the South Pacific. The University’s Senate is the authority responsible for such matters as teaching and research. (See also Fiji.)

CHILD LABOUR: The ethnic militias used children as combatants. When the militias were decommissioned, in the face of very high unemployment, child soldiers tended to form themselves into quasi-criminal gangs. No psychological counselling is available for children and youths affected by violent conflict. Given low wages and high unemployment, there is little incentive to employ child labourers.

TRADE UNION RIGHTS: Workers have the right to form and join unions and to organise and bargain collectively. The law permits strikes. The failure of the government to pay teachers regularly has led to numerous strikes. Since 1998 ethnic tensions and conflict on Guadalcanal, the most economically developed island in the country, seriously disrupted economic activity and resulted in the loss of many formal employment opportunities. The small percentage of the work force in formal employment means that employers easily find replacement workers during disputes.
In July 2003, Australia and New Zealand responded to a plea from the Solomon Islands to send troops and police to restore law and order. During the previous five years ethnic violence, government malfeasance, and endemic crime overwhelmed the country. The archipelago is an artificial British colonial creation granted independence in 1978, but in a fashion that was expedient rather than responsible. The diverse ethnic and linguistic population has no commitment to the concept of a nation. Each ethnic group identifies primarily with its clan and secondly with one of 27 islands of origin. Tensions between the two largest ethnic groups, the Malaitans and the Guadalcanalese, are at the core of the collapse of the state. The island of Malaita is especially poor and overcrowded and tens of thousands of Malaitans transmigrated to Guadalcanal during the last fifty years. From 1998 both groups formed armed militias on Guadalcanal that are responsible for abductions, murders, torture, rape, forced resettlement, looting, the destruction of homes and schools, the demise of the government and the collapse of civil society into virtual anarchy.
SOUTH AFRICA
Republic of South Africa • Population: 43,647,658

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>33.6%</th>
<th>% GNP spent on education:</th>
<th>5.5%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>14.4%</td>
<td>Life expectancy at birth:</td>
<td>45.43</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td></td>
<td>School life expectancy [years]:</td>
<td></td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td></td>
<td>% 2000 cohort reaching grade 5:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td></td>
<td>Tertiary students per 100,000:</td>
<td>644,763</td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td></td>
<td>% government expenditure on education:</td>
<td>25.8</td>
</tr>
</tbody>
</table>

Ratification of ILO conventions: 29, 87, 98, 100, 105, 111, 138, 169, 182

EDUCATION RIGHTS: EI affiliate, SADTU, estimated in 2003 that there were 13 million illiterate adults in South Africa. Education is compulsory from ages seven to 15 and children cannot be refused admission to public schools due to poverty. School funding formula devotes 60% of non-personnel resources to the most needy schools. The government’s policy includes building new schools, providing in-school meals for children from poverty-stricken backgrounds, and the introduction of basic skills development programmes and pre-vocational training into the curriculum. The Department of Education states that approximately 90% of school-age children are enrolled in school. SADTU’s estimate is that 1.6 million school-age children are out of school. Each Department of Education in the nine provinces has responsibility for the schools in their province. This results in an uneven distribution of educational facilities. The quality of primary schooling also varies, especially in rural areas. SADTU reported in 2002 that nationwide over 45% of schools did not have electricity, 34% did not have a telephone, 27% were without clean water and 21,000 schools either lacked adequate sanitation or had no sanitation at all. Student populations on university campuses are becoming more representative of the general population with previously elite all-white universities reaching out to recruit students from disadvantaged communities.

GENDER PARITY: Statistics for 2001 report 50.3% of all students in public and private schools are girls and that women make up 55% of the university student population. Despite these figures girls have a higher drop out rate than boys at primary and secondary school. Amnesty International (AI) and Human Rights Watch (HRW) have both identified a serious contributory reason for girls leaving school prematurely. In 2001 HRW published a report entitled «Scared at School; Sexual Violence Against Girls in South African Schools.» The report dealt with such issues as rape, sexual abuse, sexual harassment, and assault on schools girls. It is a significant problem involving teachers, male students and other persons in the school community. One consequence of these crimes is that victims often left school temporarily, changed schools, or dropped out of school altogether. Victims and potential victims who remain at school tend to be under stress and their studies are often affected. In July 2002, the Department of Education requested schools to set up hot lines to the police, and recommended that trauma centres be established whenever possible. The directives are intended to deal with all aspects of violence in schools. SADTU has developed a Code of Ethics that clearly states that teachers and other educational employees should not have sexual relations with students.

ACADEMIC FREEDOM: The government does not restrict academic freedom.

CHILD LABOUR: The law prohibits the employment of children under the age of 15, and it is now a criminal offence to employ anyone under 18 if the employment risks the well-being, education, physical or mental health or morality of the individual. A domestic NGO, has estimated that 200,000 children, some as young as five-years-old, work...
in rural areas, mostly in agriculture. HIV/AIDS has an adult prevalence rate of 20%. The government is unable to provide adequately for the rapid increase in the number of children affected by HIV/AIDS, whether through infection or as a result of being orphaned. Child prostitution, including forced prostitution, continues to increase, especially in the main urban areas. The sexual exploitation of children is organised and involves criminal gangs. The growth in child prostitution is partly accounted for by the persistence of the myth that sexual relations with a virgin can cure HIV/AIDS. UNAIDS estimated that 660 000 children under the age of 15 were AIDS orphans at the end of 2001. SADTU has an education programme on HIV/AIDS for teachers.

TRADE UNION RIGHTS: The Labour Relations Act (LRA) recognises the main trade union rights. The Act applies to both public and private sectors. It recognises workers’ rights to form trade unions and protects them against unfair dismissal. The right to strike is also recognised and the LRA provides for collective bargaining and organisational rights. Amendments to the LRA in 2002 strengthen collective bargaining structures with small businesses. Contracts and collective agreements are binding on a new employer when a company is transferred.

**EI member organisation / Membership:**
South African Democratic Teachers’ Union (SADTU) / 167 655
EDUCATION RIGHTS: Education is well funded. It is compulsory for 10 years and free until age 18. The school system includes early childhood education [for children aged three to five], and compulsory, primary [ages six to 12] and secondary school [ages 13 to 16]. Financial aid, such as free lunches and transport, is available for economically disadvantaged children. Education in Spain is well funded. Students may continue their studies either in upper-secondary or vocational schools. Scholarship and study grant programmes are well developed. Catholic schools are subject to the education system and continue to receive subsidies from the government, although the 1978 Constitution removed the Church’s status as the state’s religion. The official language is Spanish, but other languages are accepted as official at a regional level. Two large minorities, recent migrants and the much longer settled Roma, generally remain outside the mainstream of Spanish society. The migrant communities came to Spain in a single generation and it has been difficult to absorb their children into the education system. A complicating factor is that the new migrants include unaccompanied foreign children and the children of migrants without documentation. Because of their illegal or ambiguous status they tend to be an «invisible» population and reluctant to enrol in compulsory schooling. Compared to the rest of Spanish society, Roma are an extraordinarily youthful population: 45 to 50% are eligible for compulsory education. Until recently many Roma children did not attend school on a regular basis and their dropout rate was well above average. Although Roma children are still not fully integrated into the educational system, the findings of a leading Roma NGO show a marked improvement during the last ten years. Most enter school at age six, and 44% complete compulsory education. There are 1,263 institutions of higher education, including 266 universities (catering for 900,000 students).

GENDER PARITY: Females have equal access to the education system, and fifty percent of students at university are women. A 2001 report reveals that women’s salaries are 28% less than those of their male counterparts. Women outnumber men in legal, health care, and education professions, and in journalism. Discriminatory wage differentials exist. In 2001 women’s salaries were 28% less than those of their male counterparts. In 2002 the Minister of Social Affairs reported that, while women constituted 37.55% of the workforce, they held only 18.09% of senior management positions in the third quarter of the year. The female unemployment rate was 17.3% in 2002 up from 15.5% in 2001. This was more than twice the 8.5% rate for men.

ACADEMIC FREEDOM: Reports indicate no government restriction of academic freedom. Universities draw up their own statutes and elect their own governing bodies. The Basque Homeland & Freedom (ETA) terrorist group, and other elements of radical Basque nationalism, continue to pressure academics considered «unsympathetic» to their cause to resign and leave the Basque region.
CHILD LABOUR: The statutory minimum age for the employment of children is 16 years. The law also prohibits the employment of persons under the age of 18 at night, for overtime work, or in sectors considered hazardous. The minimum age is generally enforced effectively in the service sector and in major industries. Some child labour is employed in factories for half the adult wage. Small sub-contracting businesses, in particular in the shoe industry, are known to use child labour. Some children work in family businesses, for no pay, as well as going to school. This includes work in shops, bars, farms, street markets, selling, and cleaning car windows at traffic lights. Others work the streets: cleaning shoes, selling, collecting cardboard and refuse, and begging. An amalgamation of 24 NGOs report that child labour has no positive outcomes - it leads to frequent absenteeism or school lag, loss of interest in education, detachment from a child’s peer group, and a loss of leisure time. A number of children are engaged in prostitution and related worst forms of child labour. There are few reports of trafficking of young children. Although prohibited under the law, trafficking of adolescent women is a problem. The government funds NGOs to provide assistance to trafficking victims. Law enforcement and social services agencies report an increasing number of undocumented immigrant children living on the streets. These children are unable to work legally and many turn to petty crime.

TRADE UNION RIGHTS: All workers, except officers of the courts and those in the military, are entitled to form and join unions of their choice. The independence of unions and their right to organise and strike are respected. There is a limitation to the right to strike in those services the government considers essential. Foreign workers, not legally registered in Spain («irregular» foreigners), do not have the right to organise, or strike, or to freedom of assembly and association - and by extension the right to collective bargaining. Unions consider the restrictions inconsistent with the Constitution and incompatible with ILO Conventions ratified by Spain. EI supported the decision of its affiliates, UGT and CC.OO, to participate in a general strike on 20 June 2002, regarding government plans aimed at reducing job security and social benefits.

El member organisation / Membership:
Federación de Trabajadores de la Enseñanza de la UGT [FETE/UGT] / 40 000
Federación de Trabajadores de la Enseñanza CC.OO [F.E.CC.OO] / 63 831
Federación de la Enseñanza del Sindikatu ELA/STC [IFE/ELA] / 2 315
Confederación Intersindical Galega [CIG-ENSINO] / 1 000
Confederación de Sindikatos de Trabajadores de la Enseñanza [CSTE] / 12 000

FOOTNOTE: RESPONSIBILITIES - The communities of the Balearic archipelago, in the Mediterranean (Population: 841 669), and the Canary archipelago in the Atlantic Ocean (Population: 1 694 477) have an autonomous status identical to communities on mainland Spain. Spain administers the last two European colonial remnants in Africa: the tiny enclaves of Ceuta (Population: 71 505) and Melilla (Population: 66 411) on Marocco’s Mediterranean coast. The enclaves gained limited autonomy in 1994.
EDUCATION RIGHTS: The public education system is well developed and 85% of children in the compulsory age group of five to 14 years attend school. Education is free at all levels, including university. Primary and secondary schools provide free textbooks and free school uniforms. Around 27% of teachers are university graduates, and a further 52% are trained or have required qualifications. There are small numbers of private schools and ‘international schools’. The majority of children have access to an early childhood education programme. The government participates with UNICEF and the World Health Organisation (WHO) in mother and child health and nutrition programmes for pre-school-age children. Instability in the northern regions gave rise to teacher flight, although some schooling was provided for children in refugee camps. Sri Lankan Tamils claim discrimination when enrolling at the country’s ten universities. The children of about 75 000 Tamils who have neither Indian nor Sri Lankan citizenship are not catered for in the education system. The government has taken some steps to recognise this group.

GENDER PARITY: Adult women are twice as likely as men to be unable to read or write, but girls and boys attend school in equal numbers. Two thirds of Sri Lanka’s teachers are women. Constitutionally women are entitled to equal employment opportunities in the public sector but the entitlement does not extend to the private sector. National, civil and criminal law provides for equality but women are often disadvantaged as a result of religious and ethnic traditions.

ACADEMIC FREEDOM: Reports indicate that, in general terms, the government of Sri Lanka does not restrict academic freedom. During the civil war, the LTTE persecuted and killed academics and intellectuals critical of their policies.

CHILD LABOUR: The minimum age for employment is 15. Younger children are permitted by law to be employed in limited agricultural work by their parents or guardians. In addition, the law permits employment in any school or institution for training purposes. The law does not specifically prohibit forced or bonded labour of children and some rural children reportedly serve in debt bondage, working as domestic servants in urban households. Sri Lanka has a reputation as a destination for foreign paedophile tourists. Legislation is adequate to combat the problem but enforcement resources are meagre. Some children are forced into prostitution by parents or organised crime. The LTTE drafts children as young as 13 years into its armed militia.

TRADE UNION RIGHTS: The country has a strong trade union tradition. The majority of tea plantation workers are unionised. All workers have the right to form unions. Civil servants may collectively submit labour grievances to the Public Service Commission and, although there are restrictions, they may now take strike action. Government workers, including those in education, have staged brief strikes in recent years.
EI member organisation / Membership:
All Ceylon Union of Government English Teachers (ACUGET) / 3 000
All Ceylon Union of Teachers (ACUT) / 2 640
All Ceylon Union of Teachers (Government) (ACUT (G)) / 2 865
Ceylon Tamil Teachers’ Union (CTTU) / 15 000
Sri Lanka Independent Teachers’ Union (SLITU) / 13 250
English Language Teachers’ Union of Sri Lanka (ELTUS) / 5 012

In the North and North East of the country, in particular, an entire generation of Sri Lankan children, both Tamil and Sinhalese, have grown up deprived of the full enjoyment of their human rights, including their rights to peace, security, and a basic education. The official end of 19 years of civil war, brokered by Norway, came into effect in December 2002 when the government and the guerrilla separatist movement, the Liberation Tigers of Tamil Eelam (LTTE), agreed to share power in a federal system. However, the accord is fragile. The government is divided on what concessions to make to the rebels, who continue to recruit armed forces. During the war at least 80 000 people were killed, hundreds of thousands of citizens became internally displaced, and hundreds of thousands of Sri Lankan Tamils fled the country.
EDUCATION RIGHTS: This extraordinarily ethnically complex society developed during its Dutch colonial period. When the trade in African slaves was abolished in 1863 the Netherlands imported cheap labour from India and the Dutch East Indies. In addition to a variety of indigenous peoples, the colony was host to a fugitive slave population who had escaped from French Guyana and Brazil. These ethnic, cultural and linguistic differences continue to hinder a national identity. Independence was achieved in 1975 and the country inherited an unsuitable education system modelled on the Netherlands with Dutch the language of instruction. School attendance is compulsory to 12 years of age. The compulsory element, however, is confined geographically. 70% of children in the capital, Paramaribo, and adjacent coastal areas attend primary school. But beyond these narrow confines, most school-age children do not have access to education because of lack of transportation, facilities, or teachers. Even when schools are available children face increasing economic pressure to discontinue their education in order to work. 70% of the population lives below the poverty line. The indigenous Amerindians (3% of the population), and ‘Maroons’, descendants of the ‘fugitive’ African slaves (10% of the population) live in remote areas of the interior and have little or no opportunity to attain an education for their children. Although Suriname has no known adversary, it has until recently spent more on defence than on education. There is a teacher college, a vocational school and a technical school. The University, in Paramaribo, includes law and medical faculties.

GENDER PARITY: The number of female primary teachers in Suriname has increased from 82% in 1990 to 90% in 2000 according to the EFA Global monitoring Report of 2003/2004. Female adult illiteracy is approximately twice that of males. Girls now have equal access to an education. Women experience economic discrimination in access to employment and in rates of pay for substantially similar work. There are historical and cultural impediments to equal participation by women in leadership positions. Traditionally women’s role has been prescribed as that of mother and homemaker. Participation in politics and the professions was considered inappropriate. Although there has been some change in recent times, women are still disadvantaged. Constitutional guarantees of gender equality are not enforced and the Asian Marriage Act allows parents of Asian extraction to arrange marriages for their children without their consent.

ACADEMIC FREEDOM: Reports do not indicate any restriction of academic freedom.

CHILD LABOUR: The law sets the minimum age for employment at 14 years, however, it is only enforced occasionally. Many children under 14 years of age work as street vendors, newspaper sellers, or shop assistants in Paramaribo, and both in the capital and in rural areas children face increasing economic pressure to discontinue their education in order to work. The trafficking of young girls for prostitution occurs.
TRADE UNION RIGHTS: Nearly 60% of the workforce is organised into unions. Civil servants now have a legal right to join unions and to strike. The Constitution explicitly recognises the right to organise and bargain collectively.

EI member organisation / Membership:
Bond van Leraren (BL) / 600
EDUCATION RIGHTS: Education is not guaranteed by the Constitution and basic education is neither compulsory nor free. It is, however, widely available and 99% of children have some primary schooling. Unofficial statistics show that a majority of children complete the seven primary grades and continue on to three years lower secondary schooling. A smaller number of students graduate from upper secondary school (12th grade). The government pays teachers’ salaries while student fees pay for books and building funds. Supplemental money must sometimes be raised for building upkeep, including teachers’ housing. The government has no plans to introduce free, universal, compulsory education. The University of Swaziland has two campuses.

GENDER PARITY: Literacy and school attendance rates are about the same for males and females. Women make up 48% of students enrolled at the University. Seminars and workshops on gender issues regularly feature on the University calendar. Women have full legal rights to participate in politics, but there are few women in the House of Assembly, or the Senate or the cabinet.

ACADEMIC FREEDOM: The faculty of the University of Swaziland may practice self-censorship and academic freedom is limited by the formal ban on political parties and a prohibition on political meetings. The Kingdom is quite intolerant of criticism and routinely targets the University at the first sign of dissent. For example, in December 2002 police evacuated the University and suspended classes following two days of protests. They arose from what was perceived as interference by King Mswati with the independence of the judiciary and the rule of law, as well as at a government proposal to purchase a jet plane for the royal family.

CHILD LABOUR: The Employment Act of 1980 prohibits the hiring of a child below the age of 15 in an industrial undertaking, except in cases where only family members are employed by the firm, or in technical schools where children are working under the supervision of a teacher or other authorised person. Employment of children in the formal sector is not customary. However, children below the minimum age are frequently employed in the agricultural sector, particularly in the eastern cotton-growing region. Children are also employed as domestic workers and as herd boys in rural areas. There are growing numbers of street children in the cities of Mbabane and Manzini and reports indicate that children are being trafficked to Swaziland from Mozambique on the false promise of economic opportunities but really for the purposes of prostitution.

TRADE UNION RIGHTS: Student and labour unrest have pressured the Monarchy grudgingly to allow minor political reforms and a little democracy. The Industrial Relations Act 2000, as amended, allows workers to form trade unions, to draw up their own constitutions, and to negotiate terms and conditions of employment. Strikes are permitted
as a last resort, when all other negotiation procedures are exhausted. The Act was supposed to bring Swazi law fully into line with international standards but, according to the ICFTU, it retains many of the restrictions of the Act it replaced. Head teachers are still denied freedom of association and may not join EI affiliate, SNAT. An EI mission went to Swaziland in March 2001, following the arrests of SNAT leaders. The mission, with SNAT colleagues, met with the Prime Minister, and Ministers of Education and Labour winning assurances that dialogue would be opened with the teacher union. SNAT has actively engaged in strengthening its school-level infrastructure with assistance from the Swedish teacher union, Lärarförbundet, a relationship that began in 1999. The General Secretary of the Swaziland Federation of Trade Unions (SFTU) continues to face harassment and intimidation. At the ILO Conference, a Swazi Senator, government delegate to the conference, publicly threatened the General Secretary should he «continue being troublesome against his country and against the State.»

EI member organisation / Membership:
Swaziland National Association of Teachers (SNAT) / 6 157
EDUCATION RIGHTS: Free, compulsory, universal education is provided for children nine to 16 years of age. The costs of transportation, books and lunches are also met. The Swedish education system provides well-developed early childhood programmes. Children are entitled to enrol and begin the basic 1st grade curriculum earlier than the compulsory school starting age. There are also state subsidised family day-care centres and leisure centres for after-school activities. Adult education in Sweden is extensive. In recent years, major changes have been made to the administration of education with substantial decentralisation of responsibilities for all aspects, including staff salaries and conditions to municipal authorities within a nationally determined framework. There are between 17 000 and 30 000 Sami in Sweden, formerly called «Lapps.' In 2000, Sami were officially recognised as a national minority with the right to education in their mother language for at least for the first six years of primary school. The government continues to consider ratifying ILO Convention 169. Immigrant and refugee children are entitled to tuition in their first language as a school subject. Sweden has at least 52 institutions of higher education and numerous other institutions administered by municipal governments, principally ‘people’s colleges’ providing adult education.

GENDER PARITY: There is equality of access to the education system for boys and girls. 59% of tertiary students are women. 45% of elected parliamentarians and over half the cabinet were women in 2002. Although the law requires equal pay for work of equal value, there is still a disparity favouring males. According to 2001 statistics, women’s salaries were approximately 80% of men’s salaries. Adjusting for age, education, and occupational differences, women’s salaries averaged 90% of men’s salaries. To combat gender discrimination in the long term, the Equal Opportunities Act requires all employers, public and private sector, to promote equal opportunities in the workplace through preparation of an annual equity plan. The law covers recruitment, promotion and pay. The equal opportunity Ombudsman, a public official, investigates complaints of gender discrimination in the labour market. Complaints may also be pursued through the courts. However, the most common dispute resolution mechanism involves settling allegations with the employee’s labour union as mediator.

ACADEMIC FREEDOM: Reports do not indicate there is any government restriction of academic freedom.

CHILD LABOUR: Compulsory nine-year education ends at age 16, and the law permits full-time employment at that age under supervision of local authorities. Employees under age 18 may work only during daytime and under supervision. During summer and other vacation periods, children as young as 13 years may work part-time or in ‘light’ work with parental permission. Sweden actively supports efforts to protect and improve children’s rights. A law criminalises the possession and handling of child pornography. It is also illegal to publish or distribute such material.
TRADE UNION RIGHTS: Some 85% of the work force is unionised - the largest percentage of unionised workers of any industrial nation. The percentage is even higher in the education sector. Most business owners belong to counterpart employer organisations. The law provides for collective bargaining and protects the freedom of workers to associate and to strike, as well as of employers to organise and to conduct lockouts. The law provides both workers and employers with effective mechanisms for resolving complaints.

EI member organisation / Membership:
Lärarförbundet / Swedish Teachers’ Union / 176 208
Lärarnas Riksförbund / National Union of Teachers in Sweden (LR) / 54 218
Svenska Folkhögskolans Lärarförbund (SFHL) / 2 145
Swedish Association of University Teachers (SULF) / 20 400
EDUCATION RIGHTS: The Swiss Constitution of 1848 provided for free and compulsory education. Since 1902 almost all responsibility for educational services has been devolved to the cantons (currently 26) and the municipalities or communes. The cantons are required to establish free, compulsory and universal primary education. They may receive subsidies, but without control, from the federal government. Primary education starts in the official language of the canton - one of four national languages: German, French, Italian or Romansh. The curriculum, starting age, and the duration of primary education varies significantly between the cantons. A foreign language, for example, may be introduced at fourth grade in some cantons, while others start at the seventh grade. According to Swiss sources ‘this can turn moving with children between cantons into a nightmare.’ There are moves towards reform: either providing a national structure or ensuring that the various systems are more compatible. Most municipalities provide early childhood education. In 2000-01, 156 000 young children attended Kindergarten for at least one or two years. In the same school year, 800 000 pupils were enrolled at primary school. After completing primary education, students may elect to go to lower secondary school or to start an apprenticeship. Most Cantons provide Gymnasiums [senior secondary schools]. Approximately 600 000 students were in enrolled in senior secondary, vocational training or other types of upper secondary schooling in 2000-01. An apprenticeship course does not preclude a student proceeding with an academic career or attending a technical college. Switzerland has ratified the Convention on the Rights of the Child (CRC) in 1997, but attached reservations, particularly in keeping with Confederation’s policy that children of migrant seasonal workers [«guest workers»] are not automatically entitled to accompany their parents and may be issued only with three-month tourist visas. The European Court of Human Rights (ECHR) has ruled that the Canton of Geneva’s refusal to allow a Muslim school teacher to wear a headscarf in the classroom was not discriminatory of her religious freedom on the grounds that the legal provisions of the ECHR are intended to protect not only the teacher’s rights but the rights of others as well as public order. There are 11 universities, nine are run by cantons, and two Institutes of Technology are fully financed by the federal government. Admission to university requires a graduate diploma from Gymnasium level secondary schools.

GENDER PARITY: Although a majority of Swiss Cantons have established commissions for the promotion of gender equality their effectiveness is uneven. The federal government provides financial support for childcare facilities at colleges and universities to enable a larger number of women to obtain a higher education. Women make up 46% of enrolment at the universities.

ACADEMIC FREEDOM: The government respects academic freedom.

CHILD LABOUR: The minimum age for employment of children is 15 years, and generally children are in school up to this age. Children over 13 years old may be employed in light duties for not more than nine hours a week during
the school year and 15 hours otherwise. The employment of young people between the ages of 15 and 20 is strictly regulated; they cannot work at night, on Sundays, or under hazardous or dangerous conditions. Government officials inspect companies that employ children. The 2nd edition of The Barometer recorded that a few employers were convicted annually for breaches of the law. There were no convictions in 2002. For nearly 100 years the government has had an office to combat trafficking of girls for the purpose of commercial sexual exploitation. The law provides that persons who employ child prostitutes may, on conviction, receive heavy prison sentences. During 2002, the police participated in major international anti-paedophile operations. As a result, some 800 Swiss premises were investigated and a large number of computers and other databases were confiscated. To combat child pornography on the Internet, the federal office for police provides a monitoring service on its World Wide Web page.

**TRADE UNION RIGHTS:** All workers, including foreigners, have the right to form and join unions of their choice. Constitutional changes, which came into force in July 2002, provide specific protection for the right to strike. Previously, public servants, including teachers, were forbidden to take strike action. As at January 2003, seven cantons and a large number of communes were not in compliance with the Constitution. By law workers have the right to organise and bargain collectively. About one-third of the work force is unionised. The Swiss Federation of Trade Unions reports that employers are increasingly attempting to circumvent collective bargaining.

**El member organisation / Membership:**
- Dachverband Schweizer Lehrerinnen und Lehrer [LCH] / 20 400
- Association syndicale et pédagogique des enseignantes et des enseignants de Suisse romande [SER] / 7 097
- Schweizerischer Verband des Personals Öffentlicher Dienste [VPÖD] / 4 141

Switzerland became a full member of the United Nations on 10 September 2002.
TAIWAN

Population: 22,548,009

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>21%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>5.3%</td>
</tr>
</tbody>
</table>

Pre-primary gross enrolment:
Net enrolment first level:
Secondary gross enrolment:
Primary pupil teacher ratio:

% GNP spent on education:
Life expectancy at birth:
School life expectancy [years]:
% 2000 cohort reaching grade 5:
Tertiary students per 100,000:
% government expenditure on education:

In 1971 the People’s Republic of China replaced Taiwan in the ILO. Taiwan is not eligible for membership of the United Nations.

EDUCATION RIGHTS: Education is free and compulsory for all children between the ages of six and 15. Net enrolment at primary and lower secondary schools is over 99%. Taiwan’s indigenous Malayo-Polynesian population numbers about 430,000, according to Ministry of information statistics. The Ministry of Education offers some aboriginal language classes in primary schools. In recent years there has been a substantial improvement in the numbers of indigenous children completing primary school and recent initiatives were taken to upgrade their status. The Ministry subsidises university education for Aborigines and the current policy seeks to preserve their culture, history and language through the establishment of Aborigine studies centres. There are 100 institutions of higher education, including the National Taiwan University at Taipei. More than two-thirds of the institutions are private.

GENDER PARITY: On average, women earn about 15% less than men. The Ministry of Education has instigated a programme to promote equal educational opportunities. In 2001, the President reaffirmed the government’s determination to protect young women from commercial sexual exploitation.

ACADEMIC FREEDOM: Reports indicate that generally the government does not restrict academic freedom.

CHILD LABOUR: The Labour Standards Law stipulates age 15 as the minimum age for any kind of employment. Although Taiwan is not able to formally ratify ILO Conventions, it has implemented the essential ingredients of Convention 182 into domestic law. Law changes empower the authorities to prosecute persons who force minors to engage in sex, or pay to have sex with children under the age of 14. It is against the law for children to take part in pornographic performances. The law imposes penalties on citizens arrested abroad for having sex with children. Child prostitution is still a problem and a particular one for indigenous children. The sale of indigenous children by their families for the purpose of prostitution is no longer tolerated.

TRADE UNION RIGHTS: Despite the fact that Taiwan is not a member of the ILO, the president of the Taiwanese Federation of Labour, supported by the International Confederation of Free Trade Unions (ICFTU), attended the ILO Conference in Geneva in June 2002. In 1995 the judicial branch of the government declared that the right to organise trade unions is protected by the Constitution. But, until new legislation implementing this decision is passed, teachers, civil servants, and defence industry workers are not permitted to form trade unions. There were discussions during 2002 on whether or not to allow teachers and public servants to form unions. On 28 September, National Teachers’ Day, an estimated 60,000 teachers and supporters marched in Taipei to demand fundamental human rights for educators and
for the abrogation of the law that prohibits teachers from organising and bargaining collectively. This was the first demonstration by the teaching profession since the Kuomintang came to power in the late 1940s.

EI member organisation / Membership:
China Education Society (CES) / 10 500
National Teachers’ Association R.O.C. (NTA) / 10 893
EDUCATION RIGHTS: The law provides for seven years of compulsory education, but there are not nearly enough schools available to accommodate all children. At least 2.5 million school-age children are out of school. 50% of enrolled children do not complete the compulsory primary period. The quality of education is poor and even children who graduate from primary school acquire few skills. Public education, in particular during the last 20 years, has deteriorated. More affluent families are enrolling their children in private or church schools. The introduction of «User-pay» fees has been a disastrous policy. According to the NGO Report to the UNCRC, many parents refuse to pay either because they cannot afford the fees or because they have no confidence that the funds will be used well. Some children complete primary school without having seen a single textbook. According to the same NGO, children report being harassed, humiliated and at times beaten in front of their peers «and sent home and told not to return until they come back with money.» Official policy stresses mainstreaming children with disabilities, but very few children with special needs enjoy an education. There are only 18 special schools out of a total in excess of 12 000. Only 6% of students carry on to secondary school and, although institutions of higher education include nine universities, their total enrolment is only 22 000. The World Bank Fast Track Initiative, launched in 2002 to assist a group of countries to achieve education for all by 2015, planned to include Tanzania as one of the beneficiary countries. However, in early 2004, Tanzania had not been funded for the programme.

GENDER PARITY: Although there was an annual improvement in the rate of girls’ receiving an education during the 1990s, female attendance lags behind males by about 25% at all levels.

ACADEMIC FREEDOM: The government does not restrict academic freedom. Academics continue to be as outspokenly critical of government policies, as they have been since the mid-1990s.

CHILD LABOUR: About 30% of children aged 10 to14 are in the workforce. The law prohibits children under the age of 14 from working in the formal wage sector in both urban and rural areas, and the government enforces this prohibition. However, this provision does not apply to children working on family farms or herding domestic livestock. Children between the ages of 12 and 15 may be employed on a daily wage and on a day-to-day basis, but they must have parental permission and return to the residence of their guardian at night. The minimum age for work of a contractual nature in approved occupations is set at 15 years. The law prohibits a young person from employment in any occupation that is injurious to health. Children aged 12 to 15 employed in industrial work may only work between dawn and dusk. The number of inspectors to enforce these provisions is inadequate. As many as 5 000 children are employed on sisal, tea, tobacco and coffee plantations. Work on sisal plantations is particularly hazardous and detrimental to children: there is a high incidence of skin and respiratory problems and the children are not provided with protective clothing. Another 1
500 to 3,000 children work in unregulated gemstone mines. Children also assist their parents in unregulated piecework manufacturing. Hundreds of thousands of children, especially girls, work in domestic service. Typically «house girls» work up to 15-hour days, seven days a week, are isolated from their peers and cannot play. They are vulnerable to physical and sexual abuse and are paid a pittance. Child prostitution, including forced child prostitution, occurs.

**TRADE UNION RIGHTS:** Workers have the legal right to strike only after complicated and protracted mediation and conciliation procedures. The recent Trade Unions Act allows workers to form unions but at the same time dissolved the Tanzania Federation of Free Trade Unions composed of 11 independent unions, of which only EI affiliate TTU was fully registered. The new Act contains several restrictions on trade union rights, according to the ICGFU. Collective bargaining is recognised in law but does not apply to the public sector where the government sets wages. Since the 2nd edition of the Barometer, Tanzania has ratified ILO Conventions 100, 111 and 182. Labour is dealt with on a territorial, not federal, basis and separate laws exist for the islands of Zanzibar and Pemba. The Zanzibar Teachers’ Union became an EI member organisation during 2003.

**EI member organisation / Membership:**
- Tanzania Teachers’ Union (TTU) / 90,000
- Zanzibar Teachers’ Union (ZATU) / 2,100
EDUCATION RIGHTS: The requirement that children receive six years of free education was raised to nine years in 1999 and the Constitution now provides that children have free access to education through the 12th grade. These statutory improvements are not realistic in the short term and have not been realised. Only 23% of children complete primary school (6th grade), and only 10% graduate from secondary school (12th grade). Public schools are mandated to include either Buddhist or Islamic religious instruction at primary and secondary school. Hill Tribe groups face discrimination and do not receive adequate education opportunities. Government sources estimate that only 8% of Thai children with physical disabilities receive formal schooling. Thailand has 25 public universities, including two very large open universities, and some 45 private universities and institutes of higher education. There are 36 teacher-training colleges.

GENDER PARITY: Thailand has a high literacy rate. The male rate of 97% is somewhat better than the rate for females, which is 93%. Boys from impoverished backgrounds are entitled to free education at religious schools. Girls, however, are not eligible for education at religious institutions. The Ministry of Education, on the other hand, provides scholarships nationwide for poverty stricken girls «at risk.» Thai women have equal access to higher education and more than half of university graduates in 2002 were women. 65% of primary school teachers are women. There are no legal restrictions on women’s participation in public office, but they are underrepresented at senior levels in the public service, despite the fact that they represent over half the employees in that sector of the work force.

ACADEMIC FREEDOM: The government generally respects academic freedom and the Constitution specifically refers to the right to engage in academic endeavour. The Ministry of Education has the authority to edit public school textbooks.

CHILD LABOUR: The extension of both compulsory education by three years and of free education to the completion of secondary school is a serious attempt by the government to combat child labour. The government has also raised the minimum age of employment to 15 years. Although enforcement of child labour laws has not been rigorous, the Ministry of Labour has increased the number of investigating inspectors. The number of children employed in sweatshops has not decreased. In some part, this is because the growing number of illegal immigrants from neighbouring countries has increased the opportunities for such abuse. Thailand is a source, transit point and destination for trafficking in children including for indentured servitude, forced labour and prostitution. To engage in the organisation of child prostitution is now a criminal offence. The government estimates that there are about 35 000 children preyed on by paedophile tourists. Although prosecutions are low, a number of NGOs and government agencies provide rehabilitation programmes for children rescued from prostitution. The incidence of HIV is high. The Education Unions, the Employers’
Confederation of Thailand and numerous domestic NGOs work to promote children’s rights and reduce exploitation.

**TRADE UNION RIGHTS:** Teachers may form unions and negotiate if they reach an extremely high threshold of 50,000 members. Otherwise, the 1991 State Enterprise Labour Relations Act, which abolished unions for workers in the public sector, remains in force. Under the Act, State Enterprise Employees’ Associations replace unions in the state sector. They cannot bargain collectively or strike, and have a limited advisory role. The government sets civil servants’ wages. According to the International Confederation of Free Trade Unions (ICFTU), the government is preparing a revised Labour Relations Act, which will further weaken collective bargaining and the right to strike. The law will give the Labour Minister sweeping new powers to impose arbitration.

**EI member organisation / Membership:**
- The Education Society of Thailand (EST) / 1,000
- Federation of Elementary Education Teachers’ Association of Thailand (FEETAT) / 42,000
- Private School Teachers’ Association of Thailand (PSTAT) / 1,500
- National Thai Teachers’ Union (NITU) / 4,610
EDUCATION RIGHTS: 75% of schools were destroyed or badly damaged during the militia attacks. Replacing and restoring school buildings, however, is only one of many problems facing education in Timor-Leste. There is a critical shortage of teachers and the majority of teachers are untrained. Even under Indonesian rule only ten percent of 6,672 primary teachers were certificated. Before independence 80% of the territories 2000 secondary school teachers were Indonesian. They have since left. When the Portuguese administration discarded East Timor in 1975, 98% of the population were Timorese and 2% Chinese. In 2003, the balance is 78% Timorese, 2% Chinese and 20% Indonesian. This is the result of transmigrated Indonesian nationals and the civil war. Transmigration policies brought Bahasa Indonesia, the official language of Indonesia, to East Timor. Prior to independence, it was the language of instruction, at all levels of education, including university and teacher training. The main indigenous language, Tetum was frowned upon and not taught in school, nor was Portuguese. The current authorities favour the use of Tetum and Portuguese in schools and both have formal status. Some Timorese advocate English because it is considered to have universality. The issue is complicated because many children and young adults who were taught under the Indonesian regime will now be disadvantaged. The use of multiple languages in the classroom is a temporary solution but it adds another burden on one of the world's poorest countries, where the majority of the population lives in rural areas and engages in subsistence level agriculture. UNICEF predicts that at least 18,000 teachers must be recruited and some 700,000 textbook printed and distributed. For 2000-2001 it was reported that 75% of school age children (age six and over) were being taught, by about 4,000 teachers in 713 primary schools. Although many were without roofs, education was taking place. The average class size was one teacher to 55 pupils and in some classrooms teachers faced between 120 and 200 pupils. Most children receive only 2-4 hours teaching per day and their education is not free. By mid-2002 it was reported that eight government and 49 private early childhood schools were registered. Twenty-two of them are in the capital, Dili. A further complication for the reconstruction and development of an education system in Timor-Leste is the enclave of Oecussi (Anembo). It is separate from Timor-Leste, and surrounded by the Indonesian province of West Timor. Oecussi has a population of 50,000. Although the enclave has long historic ties with Portugal the people and the economy have always been linked with West Timor. For example, the lingua franca is Baiqueuo, a dialect of the language of West Timor.

GENDER PARITY: An estimated 61% of the adult female population were illiterate at the date of independence. In 2001-02, the gross primary enrolment for girls was reported to be 95%. In some districts of the country there are no female primary teachers. This fact is considered to impact negatively on the educational opportunities of girls at school.

ACADEMIC FREEDOM: The most reliable information available is that academic freedom is not restricted at the University of Timor-Leste in Dili.
**CHILD LABOUR:** Some children are not at school. They work to support their family. Poverty keeps school-age children from school especially in rural and remote areas, according to an EI report. Amnesty International (AI) states that conditions for children in detention do not conform to UN minimum standards. Among other issues, children are not fully segregated from adults.

**TRADE UNION RIGHTS:** The East Timor Teachers’ Union, ETTU, gained membership to EI in July 2001. Leaders of ETTU joined with little or no training in union skills. Australian education unions are providing training programmes. An EI co-operative development proposal includes trade union and leadership training as well as funds to establish a union office. EI’s Annual Report for 2002 says that several EI affiliates, including FENPROF, Portugal, AEU, Australia, and AFT, United States, are conducting bilateral projects with local teachers.

**EI member organisation / Membership:**
East Timor Teachers’ Union (ETTA) / 575

The 1974-75 Spinola government’s hasty decision to collapse Portugal’s overseas responsibilities amounted, in East Timor’s case, to abandonment. In 1975, while the international community stood by and offered no more than a mild rebuke, East Timor was invaded, annexed and declared a province of the Republic of Indonesia. During the next two decades some 200 000 Timorese died as a result of civil war, famine and persecution. In 1999 Indonesia permitted a referendum on self-determination and East Timor voted overwhelmingly for independence. Immediately following the referendum, anti-independence militia gangs and some units of the Indonesian armed forces rampaged across the country systemically wrecking 85% of the country’s infrastructure and killing several thousand citizens. One third of the population fled to the Indonesian province of West Timor (Nusa Tenggara Timur), and one third took refuge in the mountainous hinterland. The UN Security Council authorised the deployment of a multinational force which successfully restored order. As the territory began to recover from the extreme tactics of the militia, the UN put in place a large-scale humanitarian operation, including food and other basic services. The country’s first free elections were held on 30 August 2001.
EDUCATION RIGHTS: Under the Constitution, the government provides free education in public schools, compulsory for both sexes between the ages of 6 and 15, but this requirement is not strictly enforced. However, there has been a marked improvement in school attendance in recent years, according to government statistics. Missionary schools remain important, educating about half the pupils. In the 2001-2002 academic year, security forces dispersed students at the University of Lomé with excessive force. The students were protesting delays in their bursary payments. The president and vice-president of an unofficial student organisation, CEUL, who were expelled from the University in mid-2001, remained persona non grata for the 2002-03 academic year.

GENDER PARITY: Women are equal under the law but experience discrimination, not least in education. Female adult literacy improved from 28.7% in 1990 to 42.5% in 2000, according to UNESCO statistics. The number of girls attending primary school increased between 1990 and 2000 from 39.6% to 44%. However the number of children, both boys and girls, that repeat grades remains very high as is the dropout rate. The number of women teaching in primary schools remains low at only 20% of teaching personnel. About 18% of university enrolments are women. Female genital mutilation (FGM) is illegal and is not practised by the larger ethnic groups. It is, however, still practised by some groups on very young girls. The government, with NGOs, and with international assistance, sponsors education programmes against FGM in areas where it remains a traditional custom.

ACADEMIC FREEDOM: At the country’s only public university, there is a degree of self-censorship as both faculty and students are wary of being monitored by government informers. Security forces remain on the University campus. The situation is not helped by the faculty’s inability to elect a rector of their own choosing.

CHILD LABOUR: The Togolese Labour Code prohibits the employment of children under the age of 14 in any enterprise, but age requirements are enforced only in the formal sector in urban areas. In both urban and rural areas, particularly in farming and petty trading, very young children traditionally assist in their families’ work. The law does not specifically address the question of forced or bonded labour performed by children, and children are sometimes subjected to forced labour, primarily as domestic servants. The ministry responsible for combating breaches of ILO Convention 182 lacks the resources to be effective. The international trafficking of children remains a problem. The majority of child trafficking victims are from the poorest rural areas. Parents sometimes sell their children for commodity goods or are victims of deception by traffickers. During 2001-2002 the ILO/IPEC programme worked with local NGOs to increase awareness of the problem.

TRADE UNION RIGHTS: According to the International Confederation of Free Trade Unions (ICFTU), the anti-
union attitudes of the regime have undermined the Togolese trade union movement. The Constitution provides most workers, including teachers, with the right to join unions and the right to strike. The Labour Code nominally provides workers with the right to organise and bargain collectively. However, collective bargaining is limited by the government, the largest employer in the formal sector, which insist on a single nationwide agreement setting wage standards for all formal economy employees. Teachers’ salaries are rarely paid on time.

EI member organisation / Membership:
Fédération des Syndicats de l’Education Nationale (FESEN)  /  7 781
**Tonga**

**Kingdom of Tonga • Population: 106,137**

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>Illiteracy:</th>
<th>% GNP spent on education:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>39.5%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Life expectancy at birth:</th>
<th>m: 66 - f: 71</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>School life expectancy [years]:</th>
<th>% 2000 cohort reaching grade 5:</th>
<th>Tertiary students per 100,000:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>% 2000 cohort reaching grade 5:</td>
<td>Tertiary students per 100,000:</td>
</tr>
<tr>
<td></td>
<td>% government expenditure on education:</td>
<td></td>
</tr>
</tbody>
</table>

Tonga is not a member of the ILO.

**EDUCATION RIGHTS:** Although it is not guaranteed under the Constitution, education has been compulsory since 1882. It is universal and free from age six to 14 years. School attendance is good and literacy is amongst the highest in the Pacific. The emphasis, according to the Education For All (EFA) Global Monitoring Report 2003/4, is to improve the quality at primary level so that children will be adequately prepared to enter secondary school. Secondary education is available for all children to upper secondary school (Form 6). All but 11 of the kingdom’s 116 primary schools are public, but three-quarters of secondary students attend non-government schools, sponsored by churches, which receive government subsidies. Early childhood education programmes are administered by private organisations. There is an extension centre of the University of the South Pacific in the capital, Nuku’alofa, and The Atenisi Institute, a private college, offers several degree programmes and co-operates with the University of Auckland, New Zealand. There is a teacher training college and several other post-secondary institutions.

**GENDER PARITY:** Although Tonga is a patriarchal society and women occupy a generally subordinate role, females have equal access to schools and make up the majority of students at institutes of higher education. Women hold several prestigious posts in government. Inheritance laws, especially those dealing with land, still discriminate against women.

**ACADEMIC FREEDOM:** The Constitution provides for academic freedom. However, criticisms of the king, his family and the government are not easily tolerated. The king has proposed changes to the Constitution which, if passed, will curb freedom of expression. He may also, by decree, block the judiciary’s authority to review Tongan law. Tonga is one of 12 countries which own the University of the South Pacific. The University’s Senate is recognised as the authority responsible for such matters as teaching and research. (See also Fiji.)

**CHILD LABOUR:** Child labour is not used in the formal economy, although there is no prohibiting legislation.

**TRADE UNION RIGHTS:** Workers have the right to form unions. EI affiliate, FITA and the Nurses Association are incorporated under the Incorporated Societies Act. They have no formal bargaining rights, although in practice they have worked on collective agreements with the government. A 1963 law provides for the right to strike, but no implementing legislation has been passed to support that right.

**El member organisation / Membership:**
Friendly Islands Teachers’ Association (FITA) / 475
Tonga is an archipelago of over 150 islands, only 36 of which are permanently inhabited. The kingdom was admitted to the United Nations in 1999 but had earlier, as a non-member state, ratified the United Nations Convention on the Rights of the Child (UN CRC).
EDUCATION RIGHTS: Education is free and compulsory for children aged from six to 12. Government policy includes expanding access to free secondary education up to age 16. However, the 70% transition rate from primary to secondary school reported in the 2nd edition of the EI Barometer has not been improved upon. The country is one of the most prosperous in the Caribbean, as a result of its petroleum and natural gas production and processing. Tourism, mostly in Tobago, is targeted for expansion and is growing. The government has committed resources to provide additional facilities to relieve overcrowded classrooms and replace substandard buildings. Occasional disruptive behaviour and classroom violence, attributed to gangs, is a problem. Trinidad has become a transhipment point for South American drugs destined for the US and Europe. Gang-related violence has increased. Higher education is provided by teacher-training colleges, technical institutes, and the St Augustine campus of the University of the West Indies. In February 2003, on Tobago, a senior primary school teacher was stabbed to death in front of her pupils. The killer, a young man, was motivated by an accusation of incestuous relations with a pupil. There is no legislation that specifically defines or protects the rights of persons with disabilities.

GENDER PARITY: UNESCO reported that, during the 1990s, gender parity in educational opportunity was all but achieved. Females tend to spend more years at school, are more likely to complete secondary education, and make up 60% of students enrolled in tertiary level courses. The number of female teachers in primary schools increased from 68% in 1990 to 75% in 2000. No legal impediment restricts women participating in government or politics. There are many women in business, in the professions and in the public service, though few in the most senior positions. No law supports equal pay for equal work.

ACADEMIC FREEDOM: Reports do not cite any government restriction of academic freedom.

CHILD LABOUR: The minimum legal age for workers is 12 years. Children from 12 to 14 years may work only in family businesses. The enforcement of the child labour law is lax. Children are often seen begging or working as street vendors. Some children are exploited by criminal gangs to work as guards and couriers for drug trafficking. NGO and ILO reports suggest that child prostitution has been a problem in recent years. No cases were recorded by the police in 2002. The Republic no longer sentences children to corporal punishment or to prison. Child offenders, aged 15 and older, are held at a youth training centre. Younger offenders are sent to an industrial school.

TRADE UNION RIGHTS: All workers, including those in state-owned enterprises, may form or join unions of their own choosing. There has been no improvement to restrictions in the public sector on collective bargaining or the right to strike. «Essential services» include teachers and they are prohibited from striking. The government ignores requests
to amend legislation that would bring it in line with ILO Conventions, which it has ratified. Unions are independent of government or political party control.

EI member organisation / Membership:
**EDUCATION RIGHTS:** According to government statistics, only 4.2% of the population live below the poverty line. Education receives a substantial proportion of the national budget and is free and compulsory until age 16. Official statistics report that 99.1% of children attend primary school full-time. Approximately 80% of boys attend until age 16 in urban areas and 60% of boys and girls in rural areas. Statistics show improvements in nearly all categories since the publication of the 2001 edition of the EI Barometer. Adult illiteracy rates are down for both males and females by 3 to 4%. Early childhood education has risen by 4.8%. Secondary gross enrolment for males has gone up by 7%, while that of females has gone up by 13.2%. And in the decade 1990-2000, school life expectancy has doubled to 14 years. There are over 40 institutions of higher education. With some government and international funding, several NGOs actively provide educational, vocational and recreational assistance to children and young adults with mental disabilities. The law prohibits discrimination based on disability and mandates that at least 1% of public and private sector jobs are reserved for persons with disabilities.

**GENDER PARITY:** For 31 years, following independence from France, rights for women were unmatched by any other Arab nation. However, women still face discrimination in private sector employment, but less so in the public domain. They constitute 37% of the civil service, 24% of Tunisia’s jurists, and approximately 49% of students enrolled at university level for the academic year 2002-2003. According to the Education For All (EFA) Global Monitoring Report of 2003, women account for 50% of primary school teachers. Female adult literacy improved 14.1% in the last decade of the 20th century. Inheritance rights, based on Shari’a law and tradition, discriminate against women. They also continue to face economic discrimination.

**ACADEMIC FREEDOM:** The government limits academic freedom. University teachers allege that the government encourages self-censorship by using the threat of tax audits, and control over university tenure and promotions. The publication of research and other academic material is monitored. Copies of seminar papers and the names of participants in seminars and educational conferences are submitted in advance to the Ministry of Higher Education. A police presence on university campuses inhibits freedom of speech.

**CHILD LABOUR:** The minimum age for manual labour is 18, and 16 years for employment in manufacturing. The minimum age for light work in agriculture and some other non-industrial sectors is 13 years. The total time children between the ages of 14 and 16 spend in school and work may not exceed seven hours a day. Nonetheless, young children often perform agricultural work in rural areas and work as vendors in urban areas, primarily during the summer school vacation. Some child labour exists disguised as apprenticeships, particularly in the handcraft industry. An independent study concluded that the hiring of underage girls as household domestics has declined with increased enforcement of
school attendance and minimum work age laws. Forced and bonded child labour is strictly forbidden. There were no reports in 2002 of trafficking in, to, or from Tunisia, although there is no specific prohibition in law. There is a Ministry for Children and Youth and a Presidential Delegate to Safeguard the Rights and Welfare of Children. The Code for the Protection of Children proscribes child abuse, abandonment, and sexual or economic exploitation. Penalties, on conviction, are severe.

**TRADE UNION RIGHTS:** The Constitution and the Labour Code stipulate the right of workers to form unions. Unions, including those representing civil servants, have the right to strike, provided they give 10 days’ advance notice and their intention is approved by the country’s only labour federation. In practice, advance approval is rarely sought and there were numerous short-lived strikes over pay and conditions during 1999. The right to organise and bargain collectively is protected by law and observed in practice. The International Confederation of Free Trade Unions (ICFT) has characterised the requirement for prior approval from the only labour federation as a violation of workers’ rights. However, the government tolerated short, technically illegal, strikes during 2002.

**EI member organisation / Membership:**
Syndicat Général de l’Enseignement de Base (SGEB) / 60 000
Syndicat Général de l’Enseignement Supérieur et de la Recherche Scientifique (SGERS-UGTT) / 1 000
**EDUCATION RIGHTS:** Primary education is free, compulsory and secular for all Turks. Compulsory education was extended in 1998 from 5 to 8 years, or until the age of 14. Although Turkey is secular, religious and moral instruction in public schools is compulsory for Muslims. The government does not permit private Koran courses. Only the adherents of religions with enduring historical ties to Turkey - Greek Orthodox, Armenian Christians and Jewish students - are permitted to hold religious classes at public schools. People of Kurdish origin, a distinct ethnic and linguistic population, inhabit extensive areas inside several adjacent countries: NE Iraq, NW Iran, NE Syria, Armenia and, most significantly, SE and Eastern Turkey, where their number is approximately 14 million. Although the liquidation of the Ottoman Empire provided for the creation of an autonomous Kurdish state, the Treaty of Lausanne (1923) failed to mention Kurdish aspirations for a homeland. Throughout the 20th Century the Kurds suffered serial persecution and massive displacement; both Iraq and Turkey committed horrendous acts of suppression against them. Total assimilation of its Kurdish citizens has long been the policy of the Turkish government. This is the context that, in part, explains the fighting in South Eastern Turkey (1985-2000) between government forces and a Kurdish guerrilla faction (PKK). Some 30,000 died, including schoolteachers (a deliberate target of the PKK until 1996). The heaviest fighting occurred in 1992 when government forces killed more than 20,000 Kurds and created about two million refugees. Children have suffered greatly from the cycle of violence: first, as refugees and internally displaced persons (IDPs) and secondly, from the knowledge that their teachers had been or might be murdered. The disruption of their right to an education was substantial, as they relocated to places that often lacked the resources to provide basic schooling. The declaration of a state of emergency, under quasi-military law, in the south-eastern provinces was finally lifted in late 2002. During that year, the government continued to curtail Kurdish language and culture: several teachers were dismissed for singing Kurdish songs on a bus, and up to 1,000 students, who petitioned a university rector to include Kurdish as an elective course, were arrested. The Columbia Encyclopaedia observed, «reforms passed in 2002 and 2003 to facilitate Turkish entrance into the European Union (EU) included ending bans on private education in Kurdish and on giving children Kurdish names.» The Kurdish language and Kurdish studies are, at least in theory, now permitted. During May 2003, EI drew upon its solidarity fund after a massive earthquake hit eastern Turkey. The destruction of a school dormitory, near the city of Bingöl, took the lives of at least 84 children. There are more than 200 institutions of higher education in Turkey. About 20 have university status. Entrance to Turkey's universities is extremely competitive.

**GENDER PARITY:** The expansion of compulsory education to eight years was intended to allow more girls, especially in rural areas, to continue their education. According to Ministry of Education statistics, the percentage of girls enrolled in primary schools increased from 79% to 97% during the last six years. In 2003, women constituted more than 41% of students enrolled in higher education and more than one-third of university students. The Constitution calls for equal political rights for men and women. In January 2002, Turkish women obtained full legal equality with men.

---

**TURKEY**

Republic of Turkey • Population: 67,308,928

<table>
<thead>
<tr>
<th>Population &lt;15</th>
<th>% GNP spent on education:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiteracy:</td>
<td>14.5%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment:</td>
<td>5.7%</td>
</tr>
<tr>
<td>Net enrolment first level:</td>
<td></td>
</tr>
<tr>
<td>Secondary gross enrolment:</td>
<td>m: 67.3 - f: 47.7%</td>
</tr>
<tr>
<td>Primary pupil teacher ratio:</td>
<td></td>
</tr>
<tr>
<td>% 2000 cohort reaching grade 5:</td>
<td></td>
</tr>
<tr>
<td>Tertiary students per 100,000:</td>
<td>1,607,388</td>
</tr>
<tr>
<td>% government expenditure on education:</td>
<td></td>
</tr>
</tbody>
</table>

Ratification of ILO conventions:

29 87 98 100 105 111 138 169 182
Suicide among young girls forced into marriage persists in the Kurdish provinces of the Southeast and East. An increase in «forced suicides»—that is, murder carried out by family members trying to avoid being charged with «honour killings»—has been reported. Similarly, juvenile males are a family’s ‘murderer of choice’ to carry out «honour killings» because young offenders receive lighter sentences. The Human Rights Watch (HRW) 2003 Report states that thousands of female students are denied access to secondary school and university education because they wear a hijab (headscarf). Female teachers and student teachers have also been banned or penalised for wearing the hijab. The government has ratified the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which allows complaints to be presented at international level if justice is unavailable at the national level.

**ACADEMIC FREEDOM:** The Constitution states that all institutions of education are subordinate to the Ministry of National Education. Reports do not cite government restriction of academic freedom, but self-censorship on sensitive topics applies.

**CHILD LABOUR:** The State Statistical Institute (SSI) estimates there are about one million child labourers. However, the same SSI report asserts there has been a 50% drop in child labour in the second half of the 1990s. The decline in child labour is said to be ongoing, citing a decrease of 8.6% for the first six months of 2002. The Constitution and labour laws both forbid employment of children younger than age 15, with the exception that those 13 and 14 year old enrolled in school or vocational training may engage in light, part-time work. The Constitution also prohibits children from engaging in physically demanding jobs such as underground mining and from working at night. The Ministry of Labour effectively enforces these laws only in the formal industrial sector. Street labour by children is widespread. There are 10 000 children working the streets of Istanbul. Some parents force their children to work and beg on the streets. The government operates 28 centres providing assistance to street children. The bulk of child labour occurs in rural areas, in the informal sectors of the economy on family farms and, in the case of girls, making traditional handcrafts. The government has participated in ILO/IPEC schemes to combat child labour since the early 1990s. These co-operative programmes have been extended to 2006. Organised crime is involved in trafficking girls for the purpose of forced prostitution.

**TRADE UNION RIGHTS:** Turkey has been the subject of a number of EI Urgent Action Appeals (UAA) since the publication of the 2nd edition of the EI Barometer. Relations between EI affiliate, EGITIM-SEN, and the authorities have steadily deteriorated. Throughout 2002, executive officers of the union were frequently, and arbitrarily, subjected to arrest, suspension, transfers without notice, removal from office or expulsion. Some rank and file members were investigated for the legitimate use of their freedom of speech and freedom of association. An Ankara court (December 2002) convicted and sentenced Alaaddin Dincer, President of EGITIM-SEN, to 15 months imprisonment for ‘Participating in an unauthorised gathering and disobeying the warning to disperse.’ The Court of Appeal ruled in favour of President Dincer and five other EGITIM-SEN members but the case is being re-heard before the Criminal Court of Turkey. Egitim-Sen’s support of mother tongue education has been a reason for constant harassment of leaders and members. The ICFTU states that, in spite of recent constitutional and legislative changes, the labour laws remain generally inadequate as regards full protection of workers’ trade union rights. The right of association is circumscribed. Unions must obtain official permission to hold meetings or rallies and must allow government representatives to attend their conventions and record their proceedings. Since 1997, public servants, including teachers, have been permitted to form and join unions. However, the law does not give them the right to collective bargaining or to strike.

EI member organisation / Membership: Syndicat des Fonctionnaires Publics du Secteur de l’Education (EGITIM-SEN) / 122 158
EDUCATION RIGHTS: Education is free and compulsory for all children from age 6 to 15 years. There are primary schools on each of the nine inhabited atolls. More than half the country's population live in the capital, Fongafale, on Funafuti Atoll. Tuvalu's national secondary school, which serves the entire country, is situated there. The government receives financial assistance from various sources including France, the European Union, the United Kingdom, Japan, Canada, Australia and New Zealand. Interest from a trust fund, established in 1987 by the major donors, covers a quarter of the annual budget and has enabled Tuvalu to begin upgrading its internal education system. This will allow qualified students to travel abroad for higher education, including teacher training. It will assist with the introduction of early childhood and special needs programmes, the implementation of gender parity initiatives at school, and improvement facilities on the more isolated islands. A number of Tuvaluans are merchant seamen on overseas ships. A Maritime School, opened in 1981 on Funafuti Atoll, takes recruits through an eight-month training course.

GENDER PARITY: A review of the country's education system in 1998 recommended that girls have equal access to schooling. Largely because of cultural traditions, the role of women is circumscribed and subordinate. Increasingly, women hold positions in the health and education sectors.

ACADEMIC FREEDOM: Tuvalu is one of 12 countries that jointly own the University of the South Pacific and it does not interfere with the university's academic independence. (See also Fiji.)

CHILD LABOUR: The employment law prohibits children under the age of 14 from working. The law also prohibits children under 15 years of age from industrial employment or work on any ship. It also stipulates that children under the age of 18 years are not allowed to enter into formal contracts, including work contracts. Children are rarely employed outside the traditional subsistence economy.

TRADE UNION RIGHTS: Workers are free to organise unions and choose their own labour representatives, but most of the population lacks permanent employment and is engaged in subsistence activity. The law provides for the right to strike, but no strike has ever been recorded. In the public sector, civil servants, teachers and nurses - who total less than 1000 employees - are grouped into associations that do not presently have the status of unions. The only registered trade union is the Tuvalu Seamen's Union. For both the private and public sectors, the legal procedures for resolving labour disputes are seldom used; instead the two sides normally engage in non-confrontational deliberations in the various atolls' multipurpose meeting halls.
Tuvalu is a low-lying island state with a maximum height above sea level of five metres. The country is very concerned about the effects of global climate change. The government has already appealed to Australia and New Zealand to take its people if rising sea levels should make evacuation necessary. Although the archipelago is distributed within an ocean area of 1,060,000 square kilometres, the total inhabitable land area is only 26 square kilometres. It is therefore densely populated. In late 2003 the small island nation of Niue, which has a serious under-population problem, suggested it would welcome large numbers of Tuvaluans as permanent settlers.
EDUCATION RIGHTS: For a number of years Uganda has hosted many refugees on its territory. Most of the 200,000 refugees are from Southern Sudan. Education receives the largest share of the government budget. The state began a programme to provide universal primary education in the mid-1990s. Although hindered by lack of finances and the instability in parts of Uganda, the implementation of the policy has seen the numbers of children at school improve from 2.9 million in 1995 to 7.2 million in 2002. According to official statistics 95% of the school-age children attend school, which is free to the 7th grade. Statistics vary according to a number of reports but there is no doubt that the numbers of children attending school have increased substantially. Since the 2nd edition of the EI Barometer, the programme no longer restricts the number of children per family entitled to free education, has eliminated compulsory uniforms, provides classroom textbooks, and has cut examination fees. Increased funding has provided better training for teachers although a shortage of trained teachers remains a serious problem. 70% of teachers at the pre-primary level are women. This number is reduced to 43% at the primary school level. Uganda has low rates of enrolment at both secondary and tertiary levels.

GENDER PARITY: The literacy rate favours men and only a bare majority of women are literate. Girls and boys have equal access to education, and lower grades are almost evenly divided by sex (47% girls). There is a tendency for families to favour the education of boys and boys are more likely to graduate from primary school and continue their education. The government has introduced several programmes to promote the education of women. Female genital mutilation (FGM) is still practised in parts of the country and there is no law against the practice. The government and women’s groups working with the UN Population Fund carry out programmes to combat the practice through education. These programmes receive strong government support and some support from local leaders.

ACADEMIC FREEDOM: Reports do not cite government restriction of academic freedom.

CHILD LABOUR: Since 1998 the government has worked with the ILO/IPEC, a programme to eliminate the child labour. The law prohibits the hiring of children as workers below the age of 18, but child labour is widespread. Most working children are employed in the informal sector, often on subsistence farms or as domestic servants. Two million children have been orphaned as a result of civil wars and the HIV/AIDS epidemic. The Lord’s Resistance Army [LRA] increased its attacks on civilians, and in particular against children, during 2002; killing, maiming, raping, torturing individuals, and looting and burning private homes, schools, and camps for internally displaced persons (IDP) and refugees. The LRA continued to abduct children and terrorised them into virtual slavery as guards, sex-chattel, and soldiers. The government has reached a compact with neighbouring countries, including Sudan, to eradicate this scourge.
TRADE UNION RIGHTS: The right to join associations or trade unions includes civil servants. However, Uganda has not ratified ILO Convention 87. School principals are among those classified as ‘essential’ government employees and they are not permitted to form unions. The Constitution confirms the right to strike after ‘every effort’ to resolve a dispute has been exhausted. The law provides for the right to organise and bargain collectively, but procedures are archaic and overdue for reform. In the state service the government dominates the bargaining process. There were nine strikes staged by primary school teachers during 2002 protesting working conditions and delays in salary payments. A united and revitalised teacher union has been formed through the merger of the Uganda Teachers’ Association (UTA) and the Uganda National Union of Teachers (UNUT). The new organisation, the Uganda United Teachers Union (UNATU), is a member of EI. NUEI, EI’s other affiliate, represents non-teaching staff.

EI member organisation / Membership:
Uganda Teachers’ Association (UTA) / 9 000
National Union of Educational Institutions (NUEI) / 7 442
EDUCATION RIGHTS: Education is not a right guaranteed under the American Constitution, but most state constitutions provide for a public education. Primary and secondary education involves attending school for twelve years. The successful completion of secondary education (12th grade) earns a student a high school diploma. Students do not pay tuition fees. Despite the fact that there is not a national education system, there has been a US Department of Education since 1980. The Department was created by bringing together offices from several other government departments. It ensures equal access to education and promote educational excellence throughout the nation. There is no national education system. The federal Elementary and Secondary Education Act (No Child Left Behind Act) has created significant accountability standards problems at the state and local levels; while the federal law has not been sufficiently funded by the federal government. Each of the 50 states has its own Department of Education and state legislation controls financing methods, academic standards, and policy and curriculum guidelines. The next level of control of public schools is the responsibility of each local school district. Each district is governed by a school board, elected by the local community. Most are elected but some school boards are appointed, and some have a mix of elected members and appointed members. Local school districts often levy property taxes, which are the major source of financing for the public school system. Wealthy communities can afford to pay more per student than poorer communities. This affects the quality of education received. Some jurisdictions have taken measures to level this imbalance by distributing property tax collections to school districts based on the number of students enrolled. Generally, school districts are divided into primary level (elementary) schools and secondary level (middle, junior and high) schools. Elementary schools may include kindergarten programmes. Normally pupils enter the 1st grade at age six. Pupils typically enrol at middle schools for the 6th grade or progress to junior high schools at the 7th or 8th grade but there is no hard and fast rule. There is not a universal age or grade when students go on to high school. High school may involve three or four grades. All students are required to take English, mathematics, science and social studies at high school and then select from a wide range of options. School is compulsory in all 50 states until age 16. Typically students complete high school at age 18. 75% of high school graduates continue to further and higher education programmes, including technical and vocational programmes. College and university enrolments almost doubled in the period 1970-2000. During the 1990s, approximately 22% of the eligible population either graduated from college or university or completed other post secondary studies. Most colleges and universities require some sort of college entrance examination. The quality of post-secondary education varies considerably. In the upper echelon are some of the world’s most respected universities.

The federal government’s role includes compensatory funding for elementary and secondary schools in deeply impoverished communities, supporting school lunch programmes, the administration of indigenous (Native American) education, making research grants to universities, underwriting loans to college students, and financing education for veterans from the armed services. Private primary and secondary school enrolments total approximately six million students.

EI BAROMETER OF HUMAN AND TRADE UNION RIGHTS IN THE EDUCATION SECTOR - 2004

UNITED STATES OF AMERICA
Population: 293,078,826

| Population <15 | 21% | % GNP spent on education: | 4.8% |
| Illiteracy: | 3% | Life expectancy at birth: | m: 74 - f: 80 |
| Pre-primary gross enrolment: | 64% | School life expectancy (years): | m: 14.8 - f: 15.7 |
| Net enrolment first level: | 98% | % 2000 cohort reaching grade 5: | |
| Secondary gross enrolment: | m: 96 - f: 96% | Tertiary students per 100,000: | 15,312,289 |
| Primary pupil teacher ratio: | 16 | % government expenditure on education: | |

Ratification of ILO conventions:
29 87 98 100 105 111 138 169 182
The Catholic Church provides the largest system of private education but the number of Catholic schools has shrunk in recent years. More non-denominational fee-paying schools have been founded. Official statistics reveal that 47% of public school teachers and 35% of private school teachers have a master's degree or above. In 2001, 57% of public school teachers held advanced degrees (NEA Research). Of the total school enrolment, Americans of European decent constitute about 63.5%, African-Americans about 17%, and Hispanic American and other Americans about 19.5%. In some states of the union, illiteracy has been virtually eliminated. The UNDP Human Development Report 2003 quotes the percentage of people lacking functional literacy skills in the 16 to 65 age bracket at 20.7% for the period 1994-98. This is partly accounted for by the millions of adults whose first language is not English. Poverty is another factor that strongly contributes to illiteracy. A central platform of the present administration’s education policy is the concept of «No Child Left Behind.» However the government failed to provide adequate funds for the scheme in 2004. The 2003 Report of Human Rights Watch (HRW) criticises the administration’s federally funded sex education programmes. The Report concludes that it is unrealistic to promote abstinence-only and that it is misinformation to suggest that condoms are not an effective protection against HIV/AIDS. Federal public health agencies have consistently emphasised the importance of providing comprehensive information to youth about how they may be protected from HIV infection, including information about condom use.

GENDER PARITY: Girls have equal access to education and nearly 56% of students enrolled in post-secondary education are female. Although legislation ensures certain aspects of equality, including equality of access to education, the Equal Rights Amendment to the United States Constitution has still not been ratified.

ACADEMIC FREEDOM: Though government does not restrict academic freedom, one of the after-effects of the 11 September 2001 terrorist attacks was the dampening-down of an open society. Professors who expressed any view that was interpreted to even vaguely dissent from or question «mainstream» American opinion on the subject were severely criticised. One source described this as having a «chilling effect» on academic freedom, on open discussion generally and of having the potential to lead to self-censorship.

CHILD LABOUR: The Fair Labor Standards Act (FLSA) prohibits children under 18 from undertaking hazardous work. Children under 16 are barred from working in factories or during school hours. The Act prohibits children under 14 from all jobs except farming. Between 300 000 children and 800 000 children work in the commercial agricultural sector. They often work 12 or more hours a day. They risk serious illness, including cancer and brain damage from exposure to pesticides. Many of them drop out of school, too exhausted to study. It is estimated that 23 000 children suffer agriculture-related injuries annually in the USA. Surprisingly current labour law does not prohibit children as young as 12 from working unlimited hours in agriculture. The US has officially four million working children but the survey is incomplete because it is unable to account for the most easily exploited: children of migrant workers, illegal immigrants, the very young, and children covertly involved in prostitution and other illicit activities of the ‘sex industry.’ UNESCO and the ILO both estimate that between 200 000 and 300 000 children are exploited through prostitution, pornography and related worst forms of child labour. Several thousand children under the age of 14, and as young as nine years, work in garment ‘sweatshops’. Underage child workers are also employed in such industries as meat-packing, construction, in sawmills and furniture factories, as well as in the informal sector. The coalition against child labour in the U.S.A. has many unions, including EI affiliates, as members.
TRADE UNION RIGHTS: Many private companies continue to harass trade unionists and discourage attempts to unionise. Federal and state laws guarantee the right to freedom of association, the right to join trade unions and participate in collective bargaining. At the same time they impose restrictions on those rights. National labour legislation does not cover agricultural or domestic workers. Legislative restrictions for instance effectively exclude 32 million workers from collective bargaining. In the public sector, approximately 40% of all workers are denied basic collective bargaining rights. In general, public sector workers are prohibited from taking strike action. The most extreme forms of exploitation of workers takes place in some Outlying Territories. For example, the Northern Mariana Islands’ garment industry relies on a system of indentured servitude, whereby thousands of foreign workers, mainly girls and young women are recruited from impoverished Asian countries under bonded conditions, which include exorbitant fee-charging and the signing of unscrupulous contracts. Education, particularly in primary and secondary schools, is one of the most highly unionised sectors of the US labour market.

EI member organisation / Membership:
American Association of University Professors (AAUP) / 44 000
American Federation of Teachers (AFT) / 600 000
National Education Association (NEA) / 1 896 807

The USA has not ratified the United Nations Convention on the Rights of the Child (UN CRC).

United Kingdom of Great Britain and Northern Ireland •

Population: 59,778,002

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population &lt;15</td>
<td>18.9%</td>
</tr>
<tr>
<td>Illiteracy</td>
<td>1%</td>
</tr>
<tr>
<td>Pre-primary gross enrolment</td>
<td>65%</td>
</tr>
<tr>
<td>Net enrolment first level</td>
<td>99%</td>
</tr>
<tr>
<td>Secondary gross enrolment</td>
<td>m: 120 - f: 139%</td>
</tr>
<tr>
<td>Primary pupil teacher ratio</td>
<td>22.5</td>
</tr>
<tr>
<td>% GNP spent on education</td>
<td>5.3%</td>
</tr>
<tr>
<td>Life expectancy at birth</td>
<td>m: 75 - f: 80</td>
</tr>
<tr>
<td>School life expectancy [years]</td>
<td>m: 16.2 - f: 17</td>
</tr>
<tr>
<td>% 2000 cohort reaching grade 5</td>
<td>2,067,349</td>
</tr>
<tr>
<td>Tertiary students per 100,000</td>
<td></td>
</tr>
<tr>
<td>% government expenditure on education</td>
<td>11.8</td>
</tr>
<tr>
<td>Ratification of ILO conventions:</td>
<td>29 87 98 100 105 111 138 169 182</td>
</tr>
</tbody>
</table>

**EDUCATION RIGHTS:** Education is free, universal, and compulsory throughout the United Kingdom, which comprises England, Scotland, Wales and Northern Ireland. Primary education begins at age five (age four in Northern Ireland) and is compulsory to age 16. It remains free to age 18. The education system in Scotland is separate, with its own laws and practices. Throughout the UK, optional early childhood education is widely available for three and four-year-old children. In 2003, there were 77 free nursery education places per 100 three-year olds. Publicly maintained schools in Britain cater for the needs of 94% of children. In 2001-02, primary and secondary schools had a combined enrolment of 10.1 million. Teacher-pupil classroom ratios improved between 1999 and 2003. The average primary school class in 2002-03 was 26.3, and the average secondary class for the same period was 21.9. Primary school classes with 31 or more students declined between 1999 and 2003 from 26% to 13%. Children are tested at ages seven, 11, and 14 before taking the main examination, the General Certificate of Secondary Education (GCSE) at about age 16 (valid for England only). The Special Rapporteur on the right to education for the UN Commission on Human Rights, Professor Katarina Tomasevski, stated in 2003 that she believed Britain was in technical breach of the United Nations Convention on the Rights of the Child (UN CRC). The basis for Prof. Tomasevski’s claim is that the «testing regime ... was designed to fulfil government objectives rather than meet the needs of children.» After completing the General Certificate of Secondary Education (GCSE), about 70% of students continue to study full time, usually with a view to a vocational qualification or Advanced Level GCSE courses or «A» levels (valid for England only). About 2.5 million students continue to study at some 5 500 Further Education Colleges (FECs), usually as part of vocational or professional training. Truancy is a serious problem in Britain. It is estimated that at least one million children are truants. Large numbers of children have been excluded from school for a variety of reasons that include behavioural problems, bullying and attacking teachers in the classroom. 9 535 children are permanently excluded and 100 000 are subject to fixed period exclusions. Since the 2nd edition of the EI Barometer, the Department of Education and Skills has mounted a major initiative to support schools in improving student attendance and behaviour. Various reports indicate that by 2006 nearly half the teachers in Britain will be over 50 and that the profession will need to recruit 200 000 teachers by 2010. Teachers are being recruited from developing countries as well as from countries where teachers often combine travel and work for a year. Concerns have been raised about certain practices used by agencies employing foreign teachers. Britain's ethnic minorities are concentrated in the inner cities and mainly in England. Although they represent only 5% of the population, they make up approximately 15% of children at primary school and 13% of students at secondary school. In January 2003, the first language was not English for 10.5% of primary pupils and for 8.9% of secondary students. In Northern Ireland, breaking through a schooling system based historically on strict sectarian lines remains an obstacle. During 2002, sectarian divisions were shown to the world when extensive media publicity was given to adult demonstrations aimed at primary school pupils. The children were going to a Catholic school and had to walk along a street in a Protestant area of Belfast. EI affiliates INTO and UTU worked with Amnesty International (AI) and Education International (EI) to develop a human
rights curriculum package for primary schools. During the 1980s and 1990s an expanding number of British colleges of higher education have been granted university status. There are approximately 170 universities and higher education institutions. Higher education is still largely state funded, although since 1998 students have had to contribute towards tuition fees. Student contributions to higher education are increasing in the England and Wales. The Scottish Parliament chose not to introduce «up front» student tuition fees in higher education. The Open University (1971) is a degree-granting institution that provides courses of study for adults who earlier missed the chance of higher education. It uses TV, radio and local study programmes.

**GENDER PARITY:** The law provides for equal opportunity between the sexes and discrimination in the education sector on the grounds of gender is unlawful. Over 50% of students who go on to higher education are women. Legislation provides for equal opportunity between the sexes but, in practice, women experience discrimination. The government’s Equal Opportunities Commission supports persons bringing discrimination cases before employment tribunals and courts. It produces guidelines for employers. The government’s Women and Equality Unit reports that women’s hourly earnings are lower than men’s, with women earning UK £8.21 compared to UK £10.63 for men.

**ACADEMIC FREEDOM:** Reports do not indicate any government restriction of academic freedom.

**CHILD LABOUR:** Children under the age of 16 are not permitted to work in an industrial enterprise except as part of an educational course. However, recent evidence has highlighted concern that the child labour laws in some parts of the country are not being properly enforced. Particularly in areas of high adult unemployment, children under the age of 16 have been found working for more than 20 hours per week to the extent that it was interfering with their education. Research suggests that the majority of children undertake some paid work outside their families by the time they reach the age of 16.

**TRADE UNION RIGHTS:** The 1999 Employment Relations Act restored some basic trade union rights that had been taken away in the 80s and early 90s. It affords new protection to union organising efforts. Collective bargaining for salaries in the schools sector in England and Wales has not been restored. Approximately 30% of the workforce are unionised. In the public sector, 60% of workers are organised, while 19% of private sector workers are union members. Unionisation of the work force is prohibited in the armed forces and police forces. Unions outside education and the civil service are often affiliated to political parties but are free of government control in their operations.

**EI member organisation / Membership:**
- Association of Teachers and Lecturers (ATL) / 96 308
- Association of University Teachers (AUT) / 30 000
- Educational Institute of Scotland (EIS) / 52 522
- National Association of Schoolmasters’/Union of Women Teachers (NASUWT) / 216 722
- The University and College Lecturers’ Union (NAFTE) / 76 742
- National Union of Teachers (NUT) / 216 722
- Scottish Secondary Teachers’ Association (SSTA) / 8 029
- Ulster Teachers’ U

EDUCATION RIGHTS: Early childhood, primary and secondary education has been free, compulsory, secular and basically coeducational since the late 19th century. The education system requires nine years of school attendance. 95% of children complete their primary education. The literacy rate and secondary school enrolment rates are the highest in Latin America. Ninety percent of primary schools are public. General education in secondary schools encompasses six years of instruction divided into two three-year cycles, the first cycle being compulsory. Although some 40% of secondary schools are private, over 80% of students are enrolled in public schools. Free education is also available through the undergraduate level at the public university, the University of the Republic. There are about 40 teacher-training colleges and teachers are considered well qualified. A lack of suitable employment opportunities for graduates causes a significant level of emigration by young Uruguayan professionals. Afro-Uruguayans make up 6% of the population and their adult illiteracy rate is twice the national average.

GENDER PARITY: 60% of the students at the public university are women. The percentage of Afro-Uruguayan women pursuing higher education is at a rate that is only one-third that of the general population. Women's salaries averaged two-thirds those of men, continuing a slow but gradual improvement with respect to pay equity.

ACADEMIC FREEDOM: Reports do not indicate government restriction of academic freedom. Both the University of the Republic and the Catholic University of Uruguay are autonomous.

CHILD LABOUR: Illegal child labour is not considered a serious problem. By law, children under 14 years of age are not allowed to work and this law is enforced. Permission to work is only granted to minors who have completed nine years of compulsory education or who remain enrolled in school and are working towards completing the period of compulsory education. Minors under the age of 18 may not perform dangerous, fatiguing or night work. Controls over the salaries and hours for children are stricter than those for adults. Children over the age of 16 may sue for payment of wages, and children have a legal right to dispose of their own income. However, many children work as street vendors in the expanding informal economy or in the agricultural sector, which are generally less strictly regulated and where pay is lower. There are infrequent reports that suggest trafficking of girls for the purposes of prostitution occurs.

TRADE UNION RIGHTS: Civil servants, employees of state-run enterprises, and private enterprise workers may join unions. About 13% of the private workforce and over 80% of public sector is unionised. Collective bargaining between companies and their unions determines a number of private sector salaries, but in the public sector the executive branch determines salaries. The Constitution provides workers with the right to strike. There were several strikes in the education sector during 2002 including a student union strike which shut down the University of the Republic for more than a month.
EDUCATION RIGHTS: In theory, the Government provides free universal primary education and health care. In practice shortages and budget difficulties mean that some services must be paid for privately. Nine years of formal schooling are compulsory and the average length of schooling is more than 11 years. According to the government, 98.1% of children complete secondary school. Anecdotal evidence indicated that more children continued to drop out of high school as economic circumstances continue to deteriorate. State expenditure on education decreased from 11.6% of GDP in 1993 to 5.5% of GDP in 1998. The number of students enrolled in school also declined during the same period. Refugee children have either limited or no access to education and the education system does not take account of their linguistic needs. Children with disabilities are excluded from mainstream education. Institutionalised children and street children are also educationally disadvantaged. NGOs report that many school buildings are in a state of disrepair. Uzbek is the state language but the Language Law provides for Russian as «the language of inter-ethnic communication.»

GENDER PARITY: Although the law prohibits discrimination against women, traditional, cultural and religious practices limit their role in everyday society. Males are much more likely to complete secondary school than females. A 1997 study indicated that the number of women enrolling in higher education was diminishing; women’s enrolment in the finance and banking institute dropped from 65 percent in 1991 to approximately 25% in 1997. The study alleged that universities were inclined to «steer» women into occupations traditionally performed by females and suggested that administrators may have deliberately barred entrance to women in some fields of learning.

ACADEMIC FREEDOM: Academic institutions have a degree of autonomy, but freedom of expression is limited. University professors are sometimes required to have their lectures or lecture notes vetted in advance. Self-censorship occurs.

CHILD LABOUR: The Convention on the Rights of the Child (CRC) was one of the first international instruments ratified by Parliament after independence. However, the Government has not ratified the ILO’s Convention on Minimum Age (138) or Convention 182 on The Worst Forms of Child Labour. During the cotton harvest season there is a large-scale compulsory mobilisation of children and older students. Classes in rural schools and provincial higher education institutions are usually cancelled and those who refuse to work in the fields are subject to academic punishment. The minimum working age is 16 years; 15-year-olds can receive state permission to work, but must work a shorter working day. Trafficking in girls for the purpose of prostitution is a problem. The government has taken some measures to combat trafficking but there is no programme to educate or assist potential victims.
TRADE UNION RIGHTS: All workers have the right to form and join unions of their choice voluntarily. It is questionable how independent trade unions are, since they remain dependent on the government. Collective bargaining does not occur. The State is the major employer, and state-appointed union leaders do not view themselves as having conflicts of interest with the government. The Ministry of Labour and the Ministry of Finance set the wages of government employees. In the small private sector, management establishes wages or negotiates them with those who contract for employment. The trade union laws do not mention a right to strike.

EI member organisation / Membership:
National Trade Union of Education and Scientific Workers of Uzbekistan (NTUESWU) / 1 190 000
Fundamental Conventions and possible ratification.

EDUCATION RIGHTS: At least half the adult population are illiterate and access to education remains limited. School attendance is not compulsory and the dropout rate is high. Classroom teaching is complicated by the fact that Vanuatu has three official languages. English and French are the languages of instruction in school, but the Ni-Vanuatu population universally speaks Bislama, an English-based Melanesian pidgin. The government provides funding and pays the teachers’ salaries at schools operated by Christian denominations. It does not financially support non-Christian or other private schools. A severe earthquake in early 2002 caused extensive damage and destroyed school buildings. Vanuatu has three institutions of higher learning - a teacher training college, a technical training school and a university campus.

GENDER PARITY: Vanuatu is traditionally patriarchal and women are discriminated against, despite a Constitution prohibiting discrimination and a law providing equal rights. The education of girls is commonly considered unnecessary and, after marriage, they are treated as the property of their spouse. These customary attitudes are not helped by the fact that the majority of Ni-Vanuatu, male and female, are functionally illiterate. The government says that it is committed to fund eight years of education for all children by the year 2010. There are few, if any, indicators that support the rhetoric.

ACADEMIC FREEDOM: The government does not restrict academic freedom. Vanuatu hosts one of the three campuses of the University of the South Pacific, Emalus, in the capital, Port Vila. The University senate is recognised as the authority with regard to teaching and research. (See also Fiji.)

CHILD LABOUR: The law prohibits children under 12 years of age from working outside family-owned agricultural production, where many children assist their parents. Employment of children from 12 to 18 years of age is restricted by occupational category and conditions of labour. Vanuatu’s Education For All (EFA) Report stressed the need to monitor and protect against illegal forms of child labour.

TRADE UNION RIGHTS: All workers have the right to organise and join unions and to bargain collectively. Unions may not affiliate to international labour federations without government permission. The Vanuatu Council of Trade Unions is a member of the International Confederation of Free Trade Unions (ICFTU). El affiliate, VTU, is the largest union and accounts for approximately 50% of total union membership in the Republic.
EI member organisation / Membership:
Vanuatu Teachers’ Union (VTU) / 500
EDUCATION RIGHTS: Education is compulsory, free and universal for ten years between the ages of five and 15. However, 57% of children leave school before the 9th grade. Government expenditures on education, health and social services decreased during 2002 due to a weakening economy and government budget deficits. Even without these difficulties, the Ministry of Education usually commits an inordinate proportion of its budget to higher education leaving primary and secondary education chronically under funded. According to UNICEF, hundreds of thousands of children are unable to enter the education system. Nearly one quarter of a million citizens who lost their homes and such facilities as schools during the 1999 floods and mudslides remain IDPs. In addition, approximately one million children are not eligible to receive government assistance, including public education, because their births are not documented properly. The Indigenous peoples number about 315 000. They typically live in isolated rural areas and lack access to education. Venezuela has ratified ILO Convention 169 since the 2nd edition of The Barometer.

GENDER PARITY: Women account for half the student body in most universities and, on average, over 60% of enrolments at other institutions of higher education.

ACADEMIC FREEDOM: Traditionally academic freedom has been respected but during the 2002-03 academic year the autonomy of the Republic’s universities was threatened. Public institutions of higher education designated as «experimental universities» are governed by Superior Councils, to which the government may appoint the majority of members. The government has successfully replaced the leadership of universities in the interior of the country with political allies.

CHILD LABOUR: Enforcement of child labour policies is adequate in the formal sector of the economy. It is ineffective in the informal sector, which accounts for the vast majority of child labourers. A programme that would have provided better protection for child labourers in the informal sector was shelved in 2001 due to lack of funding. 76% of children live in poverty and increasing poverty has led to a rise in abandonment. The NGO, CECODAP, estimates that the number of children working in the informal sector increased from 1.2 million in 1999 to 1.6 million in 2003. Generally the children work more hours than permitted under the law. The Labour Code states that children between the ages of 14 and 16 may not work in mines or smelters, in occupations that risk life or health, that could damage intellectual or moral development or in public spectacles. CECODAP reports that over 200 000 children are involved in prostitution, drug trafficking, and petty crime. The country is a source, destination and transit country for trafficked children. However, no figures reliable figures are available to quantify the extent of the problem.

TRADE UNION RIGHTS: The ICFU characterised 2002 as a year of great social and political conflict «with many
situations culminating in confrontation that threatened the survival of the democratic system. The government main-
tained its confrontational stance and refused to recognise the main national trade union organisation, along with other
social partners.» There were two general strikes during the year: in April and December. The strikes directly arose out of
demands that government policy respect rights enshrined in the Venezuelan Constitution. The April strike was an attempt
to oust President Hugo Ch*vez. HRW’s 2003 Report states that «after the attempted coup ....Venezuelan society remained
deeply polarised, political protests continued, and economic conditions worsened, leaving the country at risk of further
violent conflict and jeopardising democracy and the rule of law.» The Labour Code extends to all private sector and pub-
lic sector employees the right to form and join unions of their choosing. The law recognises the right of public and pri-
vate sector employees to strike. However, the Code allows the President to order strikers back to work and submit their dis-
pute to arbitration if the strike is deemed to endanger the ‘lives or security of all or part of the population.’ All public and
private sector workers have the right to arrive at collective bargaining agreements. As stated in EI’s 2001 Annual Report,
actions to privatise and degrade public education are of particular concern to Venezuelan educators. EI’s member organ-
isation, FETRAE, has mobilised and held strikes and demonstrations to express opposition to privatisation.

EI member organisation / Membership:
FETRAEEnsenanza (FETRAE) / 8 000
EDUCATION RIGHTS: Zambia is an extremely poor country, but committed to providing access to a basic education for all children by the year 2015. Education is now compulsory to the 9th grade, but this was beyond the reach of many families until the government announced in March 2002 the elimination of school fees and that uniforms would no longer be mandatory for primary pupils. Although these changes in policy halted a decline in primary enrolment, facilities are inadequate, schools lack materials and there is a shortage of teachers. Less than 20% of primary school graduates continue to upper secondary school. The HIV/AIDS adult prevalence rate was 20% in 1999. Zambia was one of the countries listed for funding under the World Bank Fast Track Initiative begun in 2002. Funding for this initiative has not yet been made available.

GENDER PARITY: A third of the adult female population is illiterate, approximately double the male rate. Girls and boys enter primary school in roughly equal numbers but fewer girls progress to secondary or tertiary education.

ACADEMIC FREEDOM: The government does not generally restrict academic freedom at the University of Zambia, although the Minister of Education may appoint members of the university council.

CHILD LABOUR: The legal minimum age for employment of children is 16 years and the law is effectively enforced in the formal sector where, because of high adult unemployment, there are no jobs available to children. The law is not enforced, however, for those who work in subsistence farming, domestic service, household work and other informal sectors. It is also not enforced in the case of childhood prostitution. In urban areas, children commonly engage in street vending. The number of street children in Lusaka increased from 35,000 in 1991 to 95,000 in 2001, partly because of the growing number of parents who have died from HIV/AIDS. Approximately 75% of all households in Zambia care for at least one orphan and seven percent of households are headed by children, due to death of both parents.

TRADE UNION RIGHTS: The Constitution provides for the right of workers to form and join trade unions and approximately 60% of the 300,000 formal sector workers are unionised. Workers have the right to organise, bargain collectively and to strike. Employers and unions in each industry negotiate collective bargaining agreements through joint councils in which there is no government involvement. Civil servants and teachers negotiate directly with the government. The law codifies the ‘one industry, one union’ principle and the government uses this concept to justify continuing to refuse secondary school teachers the right to form a separate union to ZNUT. During 2003, ZNUT took industrial action, with EI support, over delays in the government honouring agreements and failing to consult with Zambia’s teachers on important issues.
EI member organisation / Membership:
Zambia National Union of Teachers (ZNUT) / 35 000

The UNHCR estimated that there were 275 000 refugees in Zambia in 2002.
EDUCATION RIGHTS: Zimbabwe does not have a compulsory education system, but until the reintroduction of school fees in urban primary schools and rural secondary schools, enrolment numbers were high. They have declined significantly. The government established a programme of grants for needy children, but it was underfunded and corruption undermined the beneficiary selection process. The school curriculum includes a human rights programme - the programme was in place during the years 2000-03 when members of the ruling party, ZANU-PF, attacked teachers and invaded hundreds of schools, some of which they closed and some of which they used as torture centres. The government has ordered that students entering college, teacher training or the civil service present a diploma from a national youth training camp. Ostensibly the camps instil pride, develop skills and highlight the independence movement. Reliable sources state that their actual purpose is to instil ZANU-PF allegiance and train the cadets in paramilitary skills and expertise in political oppression.

GENDER PARITY: About 9% of the adult male population are illiterate, as compared with about 18% of the adult female population. School fees have risen sharply due to rampant inflation. The tendency is that, when tuition fees become a burden, it is most often the female children who leave school. Even during better economic times, in most regions, fewer girls than boys attended secondary school. An estimated 40% of students enrolled in higher education are female.

ACADEMIC FREEDOM: The University of Zimbabwe Amendment Act and the National Council for Higher Education Act curtail academic freedom by restricting the independence of the universities. The government makes all the key appointments.

CHILD LABOUR: An unemployment rate of 75% has effectively eliminated children’s labour in some sectors of the formal economy. Child labour has been a problem in the formal agricultural sector, especially during the planting and harvesting seasons. This has also declined as many farms have been abandoned or have stopped producing commercial crops following the enforced expulsion of workers and their families from farms and plantations. Those expelled number some 500,000 and they are without shelter or food. The majority are women and children. Some experts suggest that one-third of the adult population suffers from HIV/AIDS and they predict that, as a consequence, there may be one million orphans by 2005. In 2002, orphanages and foster homes were filled to capacity and unable to cope with the problem of parentless children. There is no policy in place or funds set aside to cope with the inevitable future crisis. Grandparents or siblings are left to care for young children. Reports indicate many orphans are becoming victims of sexual abuse. Street children and the problems that attach to their miserable existence were identified in the previous edi-
tion of the EI Barometer - theft, robbery, street violence, drug use, prostitution, and premature death. Every week, the number of hungry, homeless children grows.

**TRADE UNION RIGHTS:** The ICFTU stated that 2002 was marked by «the highest degree of violence and intimidation that Zimbabwe had ever experienced against trade unionists and pro-democracy advocates.» During 2002, ZANU-PF party supporters increased their attacks on teachers suspected of supporting the opposition Movement for Democratic Change (MDC). Amnesty International (AI) reports that in October 2002 a teachers' strike, led by the Progressive Teachers' Union of Zimbabwe (PTUZ), was met with excessive force by police and over 600 teachers were subsequently dismissed by the government. EI strongly protested against the dismissals and requested that the teachers be reinstated. The Labour Relations Act [LRA] provides private sector workers with freedom of association and the freedom to form or join unions. The LRA does not cover public servants and their associations, including EI affiliate, ZIMTA. The government determines public servants’ conditions of employment, classifies them all as essential workers, and prohibits them from striking. A law reform in 1999 permits «essential workers» not covered by the LRA to belong to unions and provides them with limited rights to strike. Teachers may bargain collectively although such activity is at the discretion of the Minister of Labour. ZIMTA members took strike action in May 2003 leading to successful negotiations for an improvement in salary and allowances.

*EI member organisation / Membership:*
  
  Zimbabwe Educational Scientific and Cultural Workers Union [ZESSCWU] / 6 000
  
  Zimbabwe Teachers’ Association [ZIMTA] / 45 000
  
  Zimbabwe Teachers’ Union [ZITU] / 13 000
UN CONVENTION ON THE RIGHTS OF THE CHILD (1989)

PREAMBLE

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, “the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth”,

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,
Have agreed as follows:

**PART I**

**Article 1**
For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

**Article 2**
1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members.

**Article 3**
1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

**Article 4**
States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

**Article 5**
States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

**Article 6**
1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

**Article 7**
1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

**Article 8**
1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality,
name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child’s place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall not itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 2, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child’s choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others; or
   (b) For the protection of national security or of public order (ordre public), or of public health or morals.

**Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

**Article 15**

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

**Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

**Article 17**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
(c) Encourage the production and dissemination of children’s books;
(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

**Article 18**

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.
Article 19
1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20
1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21
States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22
1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.
Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child’s condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child’s achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

2 States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, iner alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.
Article 26
1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27
1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28
1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
   (a) Make primary education compulsory and available free to all;
   (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
   (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
   (d) Make educational and vocational information and guidance available and accessible to all children;
   (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29
1. States Parties agree that the education of the child shall be directed to:
   (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
   (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
   (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living; the country from which he or she may originate, and for civilizations different from his or her own;
   (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
   (a) Provide for a minimum age or minimum ages for admission to employment;
   (b) Provide for appropriate regulation of the hours and conditions of employment;
   (c) Provide for appropriate penalties or other sanctions to ensure the, effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:
   (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
   (b) The exploitative use of children in prostitution or other unlawful sexual practices;
   The exploitative use of children in pornographic performances and materials

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child’s welfare.
Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child’s best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child’s sense of dignity and worth, which reinforces the child’s respect for the human rights and fundamental freedoms of others and which takes into account the child’s age and the desirability of promoting the child’s reintegration and the child’s assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and,
unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State Party; or

(b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competent in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of
the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
   (a) Within two years of the entry into force of the Convention for the State Party concerned;
   (b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children’s Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children’s Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children’s Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children’s Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee’s observations and suggestions, if any, on these requests or indications;
(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46
The present Convention shall be open for signature by all States.

Article 47
The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48
The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49
1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50
1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51
1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52
A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.
Article 53
The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54
The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.
In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.
The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fourteenth Session on 10 June 1930, and

Having decided upon the adoption of certain proposals with regard to forced or compulsory labour, which is included in the first item on the agenda of the Session, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-eighth day of June of the year one thousand nine hundred and thirty, the following Convention, which may be cited as the Forced Labour Convention, 1930, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation:

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.

2. With a view to this complete suppression, recourse to forced or compulsory labour may be had, during the transitional period, for public purposes only and as an exceptional measure, subject to the conditions and guarantees hereinafter provided.

3. At the expiration of a period of five years after the coming into force of this Convention, and when the Governing Body of the International Labour Office prepares the report provided for in Article 31 below, the said Governing Body shall consider the possibility of the suppression of forced or compulsory labour in all its forms without a further transitional period and the desirability of placing this question on the agenda of the Conference.

Article 2

1. For the purposes of this Convention the term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

2. Nevertheless, for the purposes of this Convention, the term forced or compulsory labour shall not include
   (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;
   (b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;
   (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;
   (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;
   (e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

Article 3

For the purposes of this Convention the term competent authority shall mean either an authority of the metropolis country or the highest central authority in the territory concerned.

Article 4

1. The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.

2. Where such forced or compulsory labour for the benefit of private individuals, companies or associations
exists at the date on which a Member's ratification of this Convention is registered by the Director-General of the International Labour Office, the Member shall completely suppress such forced or compulsory labour from the date on which this Convention comes into force for that Member.

Article 5

1. No concession granted to private individuals, companies or associations shall involve any form of forced or compulsory labour for the production or the collection of products which such private individuals, companies or associations utilise or in which they trade.

2. Where concessions exist containing provisions involving such forced or compulsory labour, such provisions shall be rescinded as soon as possible, in order to comply with Article 1 of this Convention.

Article 6

Officials of the administration, even when they have the duty of encouraging the populations under their charge to engage in some form of labour, shall not put constraint upon the said populations or upon any individual members thereof to work for private individuals, companies or associations.

Article 7

1. Chiefs who do not exercise administrative functions shall not have recourse to forced or compulsory labour.

2. Chiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 10 of this Convention.

3. Chiefs who are duly recognised and who do not receive adequate remuneration in other forms may have the enjoyment of personal services, subject to due regulation and provided that all necessary measures are taken to prevent abuses.

Article 8

1. The responsibility for every decision to have recourse to forced or compulsory labour shall rest with the highest civil authority in the territory concerned.

2. Nevertheless, that authority may delegate powers to the highest local authorities to exact forced or compulsory labour which does not involve the removal of the workers from their place of habitual residence. That authority may also delegate, for such periods and subject to such conditions as may be laid down in the regulations provided for in Article 23 of this Convention, powers to the highest local authorities to exact forced or compulsory labour which involves the removal of the workers from their place of habitual residence for the purpose of facilitating the movement of officials of the administration, when on duty, and for the transport of Government stores.

Article 9

Except as otherwise provided for in Article 10 of this Convention, any authority competent to exact forced or compulsory labour shall, before deciding to have recourse to such labour, satisfy itself

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do work or render the service;

(b) that the work or service is of present or imminent necessity;

(c) that it has been impossible to obtain voluntary labour for carrying out the work or rendering the service by the offer of rates of wages and conditions of labour not less favourable than those prevailing in the area concerned for similar work or service; and

(d) that the work or service will not lay too heavy a burden upon the present population, having regard to the labour available and its capacity to undertake the work.

Article 10

1. Forced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions shall be progressively abolished.

2. Meanwhile, where forced or compulsory labour is exacted as a tax, and where recourse is had to forced or compulsory labour for the execution of public works by chiefs who exercise administrative functions, the authority concerned shall first satisfy itself

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service;
(b) that the work or the service is of present or imminent necessity;

(c) that the work or service will not lay too heavy a burden upon the present population, having regard to the
labour available and its capacity to undertake the work;

(d) that the work or service will not entail the removal of the workers from their place of habitual residence;

(e) that the execution of the work or the rendering of the service will be directed in accordance with the exi-
gencies of religion, social life and agriculture.

Article 11

1. Only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may
be called upon for forced or compulsory labour. Except in respect of the kinds of labour provided for in Article
10 of this Convention, the following limitations and conditions shall apply:

(a) whenever possible prior determination by a medical officer appointed by the administration that the per-
sons concerned are not suffering from any infectious or contagious disease and that they are physically fit for
the work required and for the conditions under which it is to be carried out;

(b) exemption of school teachers and pupils and officials of the administration in general;

(c) the maintenance in each community of the number of adult able-bodied men indispensable for family and
social life;

(d) respect for conjugal and family ties.

2. For the purposes of subparagraph (c) of the preceding paragraph, the regulations provided for in Article
23 of this Convention shall fix the proportion of the resident adult able-bodied males who may be taken at any one
time for forced or compulsory labour, provided always that this proportion shall in no case exceed 25 per cent.
In fixing this proportion the competent authority shall take account of the density of the population, of its
social and physical development, of the seasons, and of the work which must be done by the persons concerned
on their own behalf in their locality, and, generally, shall have regard to the economic and social necessities of
the normal life of the community concerned.

Article 12

1. The maximum period for which any person may be taken for forced or compulsory labour of all kinds in any
one period of twelve months shall not exceed sixty days, including the time spent in going to and from the place
of work.

2. Every person from whom forced or compulsory labour is exacted shall be furnished with a certificate indicat-
ing the periods of such labour which he has completed.

Article 13

1. The normal working hours of any person from whom forced or compulsory labour is exacted shall be the same
as those prevailing in the case of voluntary labour, and the hours worked in excess of the normal working hours
shall be remunerated at the rates prevailing in the case of overtime for voluntary labour.

2. A weekly day of rest shall be granted to all persons from whom forced or compulsory labour of any kind is exact-
ed and this day shall coincide as far as possible with the day fixed by tradition or custom in the territories or
regions concerned.

Article 14

1. With the exception of the forced or compulsory labour provided for in Article 10 of this Convention, forced or
compulsory labour of all kinds shall be remunerated in cash at rates not less than those prevailing for similar
kinds of work either in the district in which the labour is employed or in the district from which the labour is
recruited, whichever may be the higher.

2. In the case of labour to which recourse is had by chiefs in the exercise of their administrative functions, pay-
ment of wages in accordance with the provisions of the preceding paragraph shall be introduced as soon as pos-
sible. 3. The wages shall be paid to each worker individually and not to his tribal chief or to any other author-
ity.

4. For the purpose of payment of wages the days spent in travelling to and from the place of work shall be count-
ed as working days.

5. Nothing in this Article shall prevent ordinary rations being given as a part of wages, such rations to be at least
equivalent in value to the money payment they are taken to represent, but deductions from wages shall not be made either for the payment of taxes or for special food, clothing or accommodation supplied to a worker for the purpose of maintaining him in a fit condition to carry on his work under the special conditions of any employment, or for the supply of tools.

Article 15

1. Any laws or regulations relating to workmen's compensation for accidents or sickness arising out of the employment of the worker and any laws or regulations providing compensation for the dependants of deceased or incapacitated workers which are or shall be in force in the territory concerned shall be equally applicable to persons from whom forced or compulsory labour is exacted and to voluntary workers.

2. In any case it shall be an obligation on any authority employing any worker on forced or compulsory labour to ensure the subsistence of any such worker who, by accident or sickness arising out of his employment, is rendered wholly or partially incapable of providing for himself, and to take measures to ensure the maintenance of any persons actually dependent upon such a worker in the event of his incapacity or decease arising out of his employment.

Article 16

1. Except in cases of special necessity, persons from whom forced or compulsory labour is exacted shall not be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health.

2. In no case shall the transfer of such workers be permitted unless all measures relating to hygiene and accommodation which are necessary to adapt such workers to the conditions and to safeguard their health can be strictly applied.

3. When such transfer cannot be avoided, measures of gradual habituation to the new conditions of diet and of climate shall be adopted on competent medical advice.

4. In cases where such workers are required to perform regular work to which they are not accustomed, measures shall be taken to ensure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and any increase or amelioration of diet which may be necessary.

Article 17

Before permitting recourse to forced or compulsory labour for works of construction or maintenance which entail the workers remaining at the workplaces for considerable periods, the competent authority shall satisfy itself

(1) that all necessary measures are taken to safeguard the health of the workers and to guarantee the necessary medical care, and, in particular, (a) that the workers are medically examined before commencing the work and at fixed intervals during the period of service, (b) that there is an adequate medical staff, provided with the dispensaries, infirmaries, hospitals and equipment necessary to meet all requirements, and (c) that the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory;

(2) that definite arrangements are made to ensure the subsistence of the families of the workers, in particular by facilitating the remittance, by a safe method, of part of the wages to the family, at the request or with the consent of the workers;

(3) that the journeys of the workers to and from the work-places are made at the expense and under the responsibility of the administration, which shall facilitate such journeys by making the fullest use of all available means of transport;

(4) that, in case of illness or accident causing incapacity to work of a certain duration, the worker is repatriated at the expense of the administration;

(5) that any worker who may wish to remain as a voluntary worker at the end of his period of forced or compulsory labour is permitted to do so without, for a period of two years, losing his right to repatriation free of expense to himself.

Article 18

1. Forced or compulsory labour for the transport of persons or goods, such as the labour of porters or boatmen, shall be abolished within the shortest possible period. Meanwhile the competent authority shall promulgate regulations determining, inter alia, (a) that such labour shall only be employed for the purpose of facilitating the movement of officials of the administration, when on duty, or for the transport of Government stores, or, in cases of very urgent necessity, the transport of persons other than officials, (b) that the workers so employed shall be med-
ically certified to be physically fit, where medical examination is possible, and that where such medical examination is not practicable the person employing such workers shall be held responsible for ensuring that they are physically fit and not suffering from any infectious or contagious disease, (c) the maximum load which these workers may carry, (d) the maximum distance from their homes to which they may be taken, (e) the maximum number of days per month or other period for which they may be taken, including the days spent in returning to their homes, and (f) the persons entitled to demand this form of forced or compulsory labour and the extent to which they are entitled to demand it.

2. In fixing the maxima referred to under (c), (d) and (e) in the foregoing paragraph, the competent authority shall have regard to all relevant factors, including the physical development of the population from which the workers are recruited, the nature of the country through which they must travel and the climatic conditions.

3. The competent authority shall further provide that the normal daily journey of such workers shall not exceed a distance corresponding to an average working day of eight hours, it being understood that account shall be taken not only of the weight to be carried and the distance to be covered, but also of the nature of the road, the season and all other relevant factors, and that, where hours of journey in excess of the normal daily journey are exacted, they shall be remunerated at rates higher than the normal rates.

Article 19

1. The competent authority shall only authorise recourse to compulsory cultivation as a method of precaution against famine or a deficiency of food supplies and always under the condition that the food or produce shall remain the property of the individuals or the community producing it.

2. Nothing in this Article shall be construed as abrogating the obligation on members of a community, where production is organised on a communal basis by virtue of law or custom and where the produce or any profit accruing from the sale thereof remain the property of the community, to perform the work demanded by the community by virtue of law or custom.

Article 20

Collective punishment laws under which a community may be punished for crimes committed by any of its members shall not contain provisions for forced or compulsory labour by the community as one of the methods of punishment.

Article 21

Forced or compulsory labour shall not be used for work underground in mines.

Article 22

The annual reports that Members which ratify this Convention agree to make to the International Labour Office, pursuant to the provisions of article 22 of the Constitution of the International Labour Organisation, on the measures they have taken to give effect to the provisions of this Convention, shall contain as full information as possible, in respect of each territory concerned, regarding the extent to which recourse has been had to forced or compulsory labour in that territory, the purposes for which it has been employed, the sickness and death rates, hours of work, methods of payment of wages and rates of wages, and any other relevant information.

Article 23

1. To give effect to the provisions of this Convention the competent authority shall issue complete and precise regulations governing the use of forced or compulsory labour.

2. These regulations shall contain, inter alia, rules permitting any person from whom forced or compulsory labour is exacted to forward all complaints relative to the conditions of labour to the authorities and ensuring that such complaints will be examined and taken into consideration.

Article 24

Adequate measures shall in all cases be taken to ensure that the regulations governing the employment of forced or compulsory labour are strictly applied, either by extending the duties of any existing labour inspectorate which has been established for the inspection of voluntary labour to cover the inspection of forced or compulsory labour or in some other appropriate manner. Measures shall also be taken to ensure that the regulations are brought to the knowledge of persons from whom such labour is exacted.
Article 25

The illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced.

Article 26

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to apply it to the territories placed under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority, so far as it has the right to accept obligations affecting matters of internal jurisdiction; provided that, if such Member may desire to take advantage of the provisions of article 35 of the Constitution of the International Labour Organisation, it shall append to its ratification a declaration stating

   (1) the territories to which it intends to apply the provisions of this Convention without modification;
   (2) the territories to which it intends to apply the provisions of this Convention with modifications, together with details of the said modifications;
   (3) the territories in respect of which it reserves its decision.

2. The aforesaid declaration shall be deemed to be an integral part of the ratification and shall have the force of ratification. It shall be open to any Member, by a subsequent declaration, to cancel in whole or in part the reservations made, in pursuance of the provisions of subparagraphs (2) and (3) of this Article, in the original declaration.

Article 27

The formal ratifications of this Convention under the conditions set forth in the Constitution of the International Labour Organisation shall be communicated to the Director-General of the International Labour Office for Registration.

Article 28

1. This Convention shall be binding only upon those Members whose ratifications have been registered with the International Labour Office.

2. It shall come into force twelve months after the date on which the ratifications of two members of the International Labour Organisation have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 29

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 30

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the International Labour Office.

2. Each member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

Article 31

At the expiration of each period of five years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.
Article 32

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall ipso jure involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 30 above, if and when the new revising Convention shall have come into force.

2. As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.

3. Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising convention.

Article 33

The French and English texts of this Convention shall both be authentic.
ILO Convention 87: Freedom of Association and Protection of the Right to Organise, 1948

The General Conference of the International Labour Organisation,
Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948;
Having decided to adopt, in the form of a Convention, certain proposals concerning freedom of association and protection of the right to organise, which is the seventh item on the agenda of the session;
Considering that the Preamble to the Constitution of the International Labour Organisation declares recognition of the principle of freedom of association to be a means of improving conditions of labour and of establishing peace; Considering that the Declaration of Philadelphia reaffirms that freedom of expression and of association are essential to sustained progress;
Considering that the International Labour Conference, at its Thirtieth Session, unanimously adopted the principles which should form the basis for international regulation;
Considering that the General Assembly of the United Nations, at its Second Session, endorsed these principles and requested the International Labour Organisation to continue every effort in order that it may be possible to adopt one or several international Conventions;
adopts the ninth day of July of the year one thousand nine hundred and forty-eight, the following Convention, which may be cited as the Freedom of Association and Protection of the Right to Organise Convention, 1948:

Part I. Freedom of Association

Article 1
Each Member of the International Labour Organisation for which this Convention is in force undertakes to give effect to the following provisions.

Article 2
Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

Article 3
1. Workers’ and employers’ organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.
2. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.

Article 4
Workers’ and employers’ organisations shall not be liable to be dissolved or suspended by administrative authority.

Article 5
Workers’ and employers’ organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers.

Article 6
The provisions of Articles 2, 3 and 4 hereof apply to federations and confederations of workers’ and employers’ organisations.

Article 7
The acquisition of legal personality by workers’ and employers’ organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 hereof.
Article 8
1. In exercising the rights provided for in this Convention workers and employers and their respective organisations, like other persons or organised collectivities, shall respect the law of the land.
2. The law of the land shall not be such as to impair, nor shall it be so applied as to impair, the guarantees provided for in this Convention.

Article 9
1. The extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.
2. In accordance with the principle set forth in paragraph 8 of article 19 of the Constitution of the International Labour Organisation the ratification of this Convention by any Member shall not be deemed to affect any existing law, award, custom or agreement in virtue of which members of the armed forces or the police enjoy any right guaranteed by this Convention.

Article 10
In this Convention the term organisation means any organisation of workers or of employers for furthering and defending the interests of workers or of employers.

Part II. Protection of the Right to Organise

Article 11
Each Member of the International Labour Organisation for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise.

Part III. Miscellaneous Provisions

Article 12
1. In respect of the territories referred to in article 35 of the Constitution of the International Labour Organisation as amended by the Constitution of the International Labour Organisation Instrument of Amendment 1946, other than the territories referred to in paragraphs 4 and 5 of the said article as so amended, each Member of the Organisation which ratifies this Convention shall communicate to the Director-General of the International Labour Office as soon as possible after ratification a declaration stating:
   a) the territories in respect of which it undertakes that the provisions of the Convention shall be applied without modification;
   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
   d) the territories in respect of which it reserves its decision.
2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.
3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.
4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 13
1. Where the subject matter of this Convention is within the self-governing powers of any non-metropolitan terri-
2. A declaration accepting the obligations of this Convention may be communicated to the Director-General of the International Labour Office:
   a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or
   b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

3. Declarations communicated to the Director-General of the International Labour Office in accordance with the preceding paragraphs of this Article shall indicate whether the provisions of the Convention will be applied in the territory concerned without modifications or subject to modification; when the declaration indicates that the provisions of the Convention will be applied subject to modifications it shall give details of the said modifications.

4. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

5. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

**Part IV. Final Provisions**

**Article 14**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

**Article 15**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

**Article 16**

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

**Article 17**

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.
Article 18
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 19
At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 20
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 16 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 21
The English and French versions of the text of this Convention are equally authoritative.
The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-second Session on 8 June 1949, and

Having decided upon the adoption of certain proposals concerning the application of the principles of the right to organise and to bargain collectively, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts the first day of July of the year one thousand nine hundred and forty-nine, the following Convention, which may be cited as the Right to Organise and Collective Bargaining Convention, 1949:

Article 1

1. Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.

2. Such protection shall apply more particularly in respect of acts calculated to
   (a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;
   (b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.

Article 2

1. Workers’ and employers’ organisations shall enjoy adequate protection against any acts of interference by each other or each other’s agents or members in their establishment, functioning or administration.

2. In particular, acts which are designed to promote the establishment of workers’ organisations under the domination of employers or employers’ organisations, or to support workers’ organisations by financial or other means, with the object of placing such organisations under the control of employers or employers’ organisations, shall be deemed to constitute acts of interference within the meaning of this Article.

Article 3

Machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organise as defined in the preceding Articles.

Article 4

Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers’ organisations and workers’ organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

Article 5

1. The extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.

2. In accordance with the principle set forth in paragraph 8 of article 19 of the Constitution of the International Labour Organisation the ratification of this Convention by any Member shall not be deemed to affect any existing law, award, custom or agreement in virtue of which members of the armed forces or the police enjoy any right guaranteed by this Convention.

Article 6

This Convention does not deal with the position of public servants engaged in the administration of the State, nor shall it be construed as prejudicing their rights or status in any way.

Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.
Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 9

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of article 35 of the Constitution of the International Labour Organisation shall indicate
   a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;
   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
   d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraph (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 11, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 10

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 4 or 5 of article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 11, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour
Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 13
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 14
At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16
The English and French versions of the text of this Convention are equally authoritative.
The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its
Thirty-fourth Session on 6 June 1951, and
Having decided upon the adoption of certain proposals with regard to the principle of equal remuneration for men
and women workers for work of equal value, which is the seventh item on the agenda of the session, and
Having determined that these proposals shall take the form of an international Convention,
adopts the twenty-ninth day of June of the year one thousand nine hundred and fifty-one, the following Convention,
which may be cited as the Equal Remuneration Convention, 1951:

Article 1
For the purpose of this Convention
(a) the term remuneration includes the ordinary, basic or minimum wage or salary and any additional emolu-
ments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and
arising out of the worker’s employment;
(b) the term equal remuneration for men and women workers for work of equal value refers to rates of remu-
neration established without discrimination based on sex.

Article 2
1. Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration,
promote and, in so far as is consistent with such methods, ensure the application to all workers of the princi-
ple of equal remuneration for men and women workers for work of equal value.
2. This principle may be applied by means of
(a) national laws or regulations;
(b) legally established or recognised machinery for wage determination;
(c) collective agreements between employers and workers; or
(d) a combination of these various means.

Article 3
1. Where such action will assist in giving effect to the provisions of this Convention measures shall be taken to
promote objective appraisal of jobs on the basis of the work to be performed.
2. The methods to be followed in this appraisal may be decided upon by the authorities responsible for the deter-
mination of rates of remuneration, or, where such rates are determined by collective agreements, by the parties
thereto.
3. Differential rates between workers which correspond, without regard to sex, to differences, as determined by
such objective appraisal, in the work to be performed shall not be considered as being contrary to the princi-
ple of equal remuneration for men and women workers for work of equal value.

Article 4
Each Member shall co-operate as appropriate with the employers’ and workers’ organisations concerned for the pur-
pose of giving effect to the provisions of this Convention.

Article 5
The formal ratifications of this Convention shall be communicated to the Director-General of the International
Labour Office for registration.

Article 6
1. his Convention shall be binding only upon those Members of the International Labour Organisation whose rat-
fifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been
registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its
ratifications has been registered.
Article 7

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of article 35 of the Constitution of the International Labour Organisation shall indicate
   a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;
   b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
   c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
   d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraph (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 8

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 4 or 5 of article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 9, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 11

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all rati-
fications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 12
At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 13
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 14
The English and French versions of the text of this Convention are equally authoritative.
ILO Convention 105: Abolition of Forced Labour, 1957

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its
Fortieth Session on 5 June 1957, and
Having considered the question of forced labour, which is the fourth item on the agenda of the session, and
Having noted the provisions of the Forced Labour Convention, 1930, and
Having noted that the Slavery Convention, 1926, provides that all necessary measures shall be taken to prevent compul-
sory or forced labour from developing into conditions analogous to slavery and that the Supplementary Convention
on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956, provides for the com-
plete abolition of debt bondage and serfdom, and
Having noted that the Protection of Wages Convention, 1949, provides that wages shall be paid regularly and prohibits
methods of payment which deprive the worker of a genuine possibility of terminating his employment, and
Having decided upon the adoption of further proposals with regard to the abolition of certain forms of forced or compul-
sory labour constituting a violation of the rights of man referred to in the Charter of the United Nations and enun-
ciated by the Universal Declaration of Human Rights, and
Having determined that these proposals shall take the form of an international Convention,
adopts the twenty-fifth day of June of the year one thousand nine hundred and fifty-seven, the following Convention,
which may be cited as the Abolition of Forced Labour Convention, 1957:

Article 1
Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress and not
to make use of any form of forced or compulsory labour

(a) as a means of political coercion or education or as a punishment for holding or expressing political views or
views ideologically opposed to the established political, social or economic system;
(b) as a method of mobilising and using labour for purposes of economic development;
(c) as a means of labour discipline;
(d) as a punishment for having participated in strikes;
(e) as a means of racial, social, national or religious discrimination.

Article 2
Each Member of the International Labour Organisation which ratifies this Convention undertakes to take effective mea-
asures to secure the immediate and complete abolition of forced or compulsory labour as specified in Article 1 of this
Convention.

Article 3
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour
Office for registration.

Article 4
1. This Convention shall be binding only upon those Members of the International Labour Organisation whose rat-
ifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been reg-
istered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its
ratifications has been registered.

Article 5
1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date
on which the Convention first comes into force, by an Act communicated to the Director-General of the
International Labour Office for registration. Such denunciation should not take effect until one year after the
date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration
of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided
for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 6

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 7

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 8

At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 9

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 5 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 10

The English and French versions of the text of this Convention are equally authoritative.
ILO Convention 111: Discrimination (Employment and Occupation), 1958

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-second Session on 4 June 1958, and

Having decided upon the adoption of certain proposals with regard to discrimination in the field of employment and occupation, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention, and

Considering that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and

Considering further that discrimination constitutes a violation of rights enunciated by the Universal Declaration of Human Rights, adopts the twenty-fifth day of June of the year one thousand nine hundred and fifty-eight, the following Convention, which may be cited as the Discrimination (Employment and Occupation) Convention, 1958:

Article 1

1. For the purpose of this Convention the term discrimination includes
   (a) any distinction, exclusion or preference made on the basis of race, colour sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;
   (b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers’ and workers’ organisations, where such exist, and with other appropriate bodies.

2. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.

3. For the purpose of this Convention the terms employment and occupation include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

Article 2

Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

Article 3

Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice
   (a) to seek the co-operation of employers’ and workers’ organisations and other appropriate bodies in promoting the acceptance and observance of this policy;
   (b) to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;
   (c) to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;
   (d) to pursue the policy in respect of employment under the direct control of a national authority;
   (e) to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;
   (f) to indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action.

Article 4

Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State shall not be deemed to be discrimination, provided that the individual concerned shall have the right to appeal to a competent body established in accordance with national practice.
Article 5
1. Special measures of protection or assistance provided for in other Conventions or Recommendations adopted by the International Labour Conference shall not be deemed to be discrimination.
2. Any Member may, after consultation with representative employers’ and workers’ organisations, where such exist, determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognised to require special protection or assistance, shall not be deemed to be discrimination.

Article 6
Each Member which ratifies this Convention undertakes to apply it to non-metropolitan territories in accordance with the provisions of the Constitution of the International Labour Organisation.

Article 7
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 8
1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 9
1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10
1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 11
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 12
At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.
Article 13

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 14

The English and French versions of the text of this Convention are equally authoritative.
The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-eighth Session on 6 June 1973, and
Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which is the fourth item on the agenda of the session, and
Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Frammers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965, and
Considering that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and
Having determined that these proposals shall take the form of an international Convention,
adopts the twenty-sixth day of June of the year one thousand nine hundred and seventy-three, the following Convention, which may be cited as the Minimum Age Convention, 1973:

**Article 1**
Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

**Article 2**
1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.
2. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office, by further declarations, that it specifies a minimum age higher than that previously specified.
3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.
4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.
5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the constitution of the International Labour Organisation a statement
   (a) that its reason for doing so subsists; or
   (b) that it renounces its right to avail itself of the provisions in question as from a stated date.

**Article 3**
1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.
2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.
3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.
Article 4

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.

3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Article 5

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially limit the scope of application of this Convention.

2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.

3. The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.

4. Any Member which has limited the scope of application of this Convention in pursuance of this Article
   (a) shall indicate in its reports under article 22 of the Constitution of the International Labour Organisation the general position as regards the employment or work of young persons and children in the branches of activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention;
   (b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labour Office.

Article 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of
   (a) a course of education or training for which a school or training institution is primarily responsible;
   (b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or
   (c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

Article 7

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is
   (a) not likely to be harmful to their health or development; and
   (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.
3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.

2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.

3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

Article 10

1. This Convention revises, on the terms set forth in this Article, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965.

2. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.

3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921, shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labour Office.

4. When the obligations of this Convention are accepted
   (a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,
   (b) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall ipso jure involve the immediate denunciation of that Convention,
   (c) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, by a Member which is a party to that Convention, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,
   (d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to maritime employment, this shall ipso jure involve the immediate denunciation of that Convention,
(e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall ipso jure involve the immediate denunciation of that Convention,

(f) by a Member which is a party to the Minimum Age (Underground Work) Convention, 1965, and a minimum age of not less than the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this Convention or the Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention, if and when this Convention shall have come into force.

5. Acceptance of the obligations of this Convention
(a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,
(b) in respect of agriculture shall involve the denunciation of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,
(c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof, if and when this Convention shall have come into force.

Article 11
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 12
1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 13
1. A Member which has ratified this Convention may denounced it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14
1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 15
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.
Article 16
At such times as may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 17
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
   a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;
   b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18
The English and French versions of the text of this Convention are equally authoritative.

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 76th Session on 7 June 1989, and
Noting the international standards contained in the Indigenous and Tribal Populations Convention and Recommendation, 1957, and
Recalling the terms of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the many international instruments on the prevention of discrimination, and
Considering that the developments which have taken place in international law since 1957, as well as developments in the situation of indigenous and tribal peoples in all regions of the world, have made it appropriate to adopt new international standards on the subject with a view to removing the assimilationist orientation of the earlier standards, and
Recognising the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live, and
Noting that in many parts of the world these peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the population of the States within which they live, and that their laws, values, customs and perspectives have often been eroded, and
Calling attention to the distinctive contributions of indigenous and tribal peoples to the cultural diversity and social and ecological harmony of humankind and to international co-operation and understanding, and
Noting that the following provisions have been framed with the co-operation of the United Nations, the Food and Agriculture Organisation of the United Nations, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation, as well as of the Inter-American Indian Institute, at appropriate levels and in their respective fields, and that it is proposed to continue this co-operation in promoting and securing the application of these provisions, and
Having decided upon the adoption of certain proposals with regard to the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of an international Convention revising the Indigenous and Tribal Populations Convention, 1957;
adopts the twenty-seventh day of June of the year one thousand nine hundred and eighty-nine, the following Convention, which may be cited as the Indigenous and Tribal Peoples Convention, 1989;

Part I. General Policy

Article 1

1. This Convention applies to:

(a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

(b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

2. Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.

3. The use of the term peoples in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law.

Article 2

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.

2. Such action shall include measures for:
(a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
(b) promoting the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions;
(c) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

Article 3

1. Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples.

2. No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.

Article 4

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.

2. Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.

3. Enjoyment of the general rights of citizenship, without discrimination, shall not be prejudiced in any way by such special measures.

Article 5

In applying the provisions of this Convention:

(a) the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals;

(b) the integrity of the values, practices and institutions of these peoples shall be respected;

(c) policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation and co-operation of the peoples affected.

Article 6

1. In applying the provisions of this Convention, governments shall:

(a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

(b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;

(c) establish means for the full development of these peoples’ own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.

2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

Article 7

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall eco-
nomic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.

3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

Article 8

1. In applying national laws and regulations to the peoples concerned, due regard shall be had to their customs or customary laws.

2. These peoples shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognised human rights. Procedures shall be established, whenever necessary, to resolve conflicts which may arise in the application of this principle.

3. The application of paragraphs 1 and 2 of this Article shall not prevent members of these peoples from exercising the rights granted to all citizens and from assuming the corresponding duties.

Article 9

1. To the extent compatible with the national legal system and internationally recognised human rights, the methods customarily practised by the peoples concerned for dealing with offences committed by their members shall be respected.

2. The customs of these peoples in regard to penal matters shall be taken into consideration by the authorities and courts dealing with such cases.

Article 10

1. In imposing penalties laid down by general law on members of these peoples account shall be taken of their economic, social and cultural characteristics.

2. Preference shall be given to methods of punishment other than confinement in prison.

Article 11

The exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens.

Article 12

The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights. Measures shall be taken to ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.

Part II. Land

Article 13

1. In applying the provisions of this Part of the Convention governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship.

2. The use of the term lands in Articles 15 and 16 shall include the concept of territories, which covers the total environment of the areas which the peoples concerned occupy or otherwise use.
Article 14
1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.
2. Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.
3. Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.

Article 15
1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.
2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages which they may sustain as a result of such activities.

Article 16
1. Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
2. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
3. Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist.
4. When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees.
5. Persons thus relocated shall be fully compensated for any resulting loss or injury.

Article 17
1. Procedures established by the peoples concerned for the transmission of land rights among members of these peoples shall be respected.
2. The peoples concerned shall be consulted whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community.
3. Persons not belonging to these peoples shall be prevented from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land belonging to them.

Article 18
Adequate penalties shall be established by law for unauthorised intrusion upon, or use of, the lands of the peoples concerned, and governments shall take measures to prevent such offences.
Article 19
National agrarian programmes shall secure to the peoples concerned treatment equivalent to that accorded to other sectors of the population with regard to: (a) the provision of more land for these peoples when they have not the area necessary for providing the essentials of a normal existence, or for any possible increase in their numbers; (b) the provision of the means required to promote the development of the lands which these peoples already possess.

Part III. Recruitment and Conditions of Employment

Article 20
1. Governments shall, within the framework of national laws and regulations, and in co-operation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent that they are not effectively protected by laws applicable to workers in general.
2. Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards: (a) admission to employment, including skilled employment, as well as measures for promotion and advancement; (b) equal remuneration for work of equal value; (c) medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits, and housing; (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers’ organisations.
3. The measures taken shall include measures to ensure: (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labour legislation and of the means of redress available to them; (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances; (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude; (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment.
4. Particular attention shall be paid to the establishment of adequate labour inspection services in areas where workers belonging to the peoples concerned undertake wage employment, in order to ensure compliance with the provisions of this Part of this Convention.

Part IV. Vocational Training, Handicrafts and Rural Industries

Article 21
Members of the peoples concerned shall enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.

Article 22
1. Measures shall be taken to promote the voluntary participation of members of the peoples concerned in vocational training programmes of general application.
2. Whenever existing programmes of vocational training of general application do not meet the special needs of the peoples concerned, governments shall, with the participation of these peoples, ensure the provision of special training programmes and facilities.
3. Any special training programmes shall be based on the economic environment, social and cultural conditions and practical needs of the peoples concerned. Any studies made in this connection shall be carried out in cooperation with these peoples, who shall be consulted on the organisation and operation of such programmes. Where feasible, these peoples shall progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.

**Article 23**

1. Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, shall be recognised as important factors in the maintenance of their cultures and in their economic self-reliance and development. Governments shall, with the participation of these people and whenever appropriate, ensure that these activities are strengthened and promoted.

2. Upon the request of the peoples concerned, appropriate technical and financial assistance shall be provided wherever possible, taking into account the traditional technologies and cultural characteristics of these peoples, as well as the importance of sustainable and equitable development.

**Part V. Social Security and Health**

**Article 24**

Social security schemes shall be extended progressively to cover the peoples concerned, and applied without discrimination against them.

**Article 25**

1. Governments shall ensure that adequate health services are made available to the peoples concerned, or shall provide them with resources to allow them to design and deliver such services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.

2. Health services shall, to the extent possible, be community-based. These services shall be planned and administered in co-operation with the peoples concerned and take into account their economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.

3. The health care system shall give preference to the training and employment of local community health workers, and focus on primary health care while maintaining strong links with other levels of health care services.

4. The provision of such health services shall be co-ordinated with other social, economic and cultural measures in the country.

**Part VI. Education and Means of Communication**

**Article 26**

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

**Article 27**

1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.

2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.

3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.
Article 28

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.

2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.

3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

Article 29

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

Article 30

1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.

2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

Article 31

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

Part VII. Contacts and Co-operation across Borders

Article 32

Governments shall take appropriate measures, including by means of international agreements, to facilitate contacts and co-operation between indigenous and tribal peoples across borders, including activities in the economic, social, cultural, spiritual and environmental fields.

Part VIII. Administration

Article 33

1. The governmental authority responsible for the matters covered in this Convention shall ensure that agencies or other appropriate mechanisms exist to administer the programmes affecting the peoples concerned, and shall ensure that they have the means necessary for the proper fulfilment of the functions assigned to them.

2. These programmes shall include:
   (a) the planning, co-ordination, execution and evaluation, in co-operation with the peoples concerned, of the measures provided for in this Convention;
   (b) the proposing of legislative and other measures to the competent authorities and supervision of the application of the measures taken, in co-operation with the peoples concerned.
Part IX. General Provisions

Article 34
The nature and scope of the measures to be taken to give effect to this Convention shall be determined in a flexible manner, having regard to the conditions characteristic of each country.

Article 35
The application of the provisions of this Convention shall not adversely affect rights and benefits of the peoples concerned pursuant to other Conventions and Recommendations, international instruments, treaties, or national laws, awards, custom or agreements.

PART X. PROVISIONS

Article 36
This Convention revises the Indigenous and Tribal Populations Convention, 1957.

Article 37
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 38
1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 39
1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 40
1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 41
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.
Article 42
At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 43
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—
   (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 39 above, if and when the new revising Convention shall have come into force;
   (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 44
The English and French versions of the text of this Convention are equally authoritative.
CONVENTION 182: WORST FORMS OF CHILD LABOUR
CONVENTION, 1999

PREAMBLE

The General Conference of the International Labour Organization,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th
Session on 1 June 1999, and
Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as
the main priority for national and international action, including international cooperation and assistance, to complement
the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain
fundamental instruments on child labour, and
Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action,
taking into account the importance of free basic education and the need to remove the children concerned from all such
work and to provide for their rehabilitation and social integration while addressing the needs of their families, and
Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its
83rd Session in 1996, and
Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained eco-
nomic growth leading to social progress, in particular poverty alleviation and universal education, and
Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November
1989, and
Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International
Labour Conference at its 86th Session in 1998, and
Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the
Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave
Trade, and Institutions and Practices Similar to Slavery, 1956, and
Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda
of the session, and
Having determined that these proposals shall take the form of an international Convention;
adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention,
which may be cited as the Worst Forms of Child Labour Convention, 1999.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and
elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term [ child ] shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term [ the worst forms of child labour ] comprises:
(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bonda-
ge and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for
use in armed conflict;
(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for porno-
graphic performances;
(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking
of drugs as defined in the relevant international treaties;
(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety
or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the
competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5
Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6
1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7
1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.

2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
   (a) prevent the engagement of children in the worst forms of child labour;
   (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
   (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
   (d) identify and reach out to children at special risk; and
   (e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8
Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10
1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11
1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12
1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13
The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14
At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15
1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --
   (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;
   (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16
The English and French versions of the text of this Convention are equally authoritative.
RECOMMENDATION 190: WORST FORMS OF CHILD LABOUR
RECOMMENDATION, 1999

PREAMBLE

The General Conference of the International Labour Organization,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Eighty-seventh Session on 1 June 1999, and
Having adopted the Worst Forms of Child Labour Convention, 1999, and
Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of a Recommendation supplementing the Worst Forms of Child Labour Convention, 1999;
adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Recommendation, which may be cited as the Worst Forms of Child Labour Recommendation, 1999.

1. The provisions of this Recommendation supplement those of the Worst Forms of Child Labour Convention, 1999 (hereafter referred to as “the Convention”), and should be applied in conjunction with them.

I. Programmes of action

2. The programmes of action referred to in Article 6 of the Convention should be designed and implemented as a matter of urgency, in consultation with relevant government institutions and employers’ and workers’ organizations, taking into consideration the views of the children directly affected by the worst forms of child labour, their families and, as appropriate, other concerned groups committed to the aims of the Convention and this Recommendation. Such programmes should aim at, inter alia:
   (a) identifying and denouncing the worst forms of child labour;
   (b) preventing the engagement of children in or removing them from the worst forms of child labour, protecting them from reprisals and providing for their rehabilitation and social integration through measures which address their educational, physical and psychological needs;
   (c) giving special attention to:
      (i) younger children;
      (ii) the girl child;
      (iii) the problem of hidden work situations, in which girls are at special risk;
      (iv) other groups of children with special vulnerabilities or needs;
   (d) identifying, reaching out to and working with communities where children are at special risk;
   (e) informing, sensitizing and mobilizing public opinion and concerned groups, including children and their families.

II. Hazardous work

3. In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, inter alia, to:
   (a) work which exposes children to physical, psychological or sexual abuse;
   (b) work underground, under water, at dangerous heights or in confined spaces;
   (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
   (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
   (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

4. For the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers’ and employers’ organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the
children concerned are fully protected, and that the children have received adequate specific instruction or voca-
tional training in the relevant branch of activity.

III. Implementation

5. (1) Detailed information and statistical data on the nature and extent of child labour should be compiled and kept
up to date to serve as a basis for determining priorities for national action for the abolition of child labour, in par-
ticular for the prohibition and elimination of its worst forms as a matter of urgency.

(2) As far as possible, such information and statistical data should include data disaggregated by sex, age group,
occupation, branch of economic activity, status in employment, school attendance and geographical location. The
importance of an effective system of birth registration, including the issuing of birth certificates, should be taken
into account.

(3) Relevant data concerning violations of national provisions for the prohibition and elimination of the worst
forms of child labour should be compiled and kept up to date.

6. The compilation and processing of the information and data referred to in Paragraph 5 above should be carried
out with due regard for the right to privacy.

7. The information compiled under Paragraph 5 above should be communicated to the International Labour Office
on a regular basis.

8. Members should establish or designate appropriate national mechanisms to monitor the implementation of
national provisions for the prohibition and elimination of the worst forms of child labour, after consultation with
employers’ and workers’ organizations.

9. Members should ensure that the competent authorities which have responsibilities for implementing national pro-
visions for the prohibition and elimination of the worst forms of child labour cooperate with each other and coor-
dinate their activities.

10. National laws or regulations or the competent authority should determine the persons to be held responsible in
the event of non-compliance with national provisions for the prohibition and elimination of the worst forms of
child labour.

11. Members should, in so far as it is compatible with national law, cooperate with international efforts aimed at the
prohibition and elimination of the worst forms of child labour as a matter of urgency by:

(a) gathering and exchanging information concerning criminal offences, including those involving international
networks;

(b) detecting and prosecuting those involved in the sale and trafficking of children, or in the use, procuring or
offering of children for illicit activities, for prostitution, for the production of pornography or for pornographic
performances;

(c) registering perpetrators of such offences.

12. Members should provide that the following worst forms of child labour are criminal offences:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and
serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed
conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic
performances; and

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of
drugs as defined in the relevant international treaties, or for activities which involve the unlawful carrying or use
of firearms or other weapons.

13. Members should ensure that penalties including, where appropriate, criminal penalties are applied for violations of
the national provisions for the prohibition and elimination of any type of work referred to in Article 3(d) of the
Convention.

14. Members should also provide as a matter of urgency for other criminal, civil or administrative remedies, where
appropriate, to ensure the effective enforcement of national provisions for the prohibition and elimination of the
worst forms of child labour, such as special supervision of enterprises which have used the worst forms of child
labour, and, in cases of persistent violation, consideration of temporary or permanent revoking of permits to oper-
ate.

15. Other measures aimed at the prohibition and elimination of the worst forms of child labour might include the fol-
lowing:
(a) informing, sensitizing and mobilizing the general public, including national and local political leaders, parliamentarians and the judiciary;
(b) involving and training employers’ and workers’ organizations and civic organizations;
(c) providing appropriate training for the government officials concerned, especially inspectors and law enforcement officials, and for other relevant professionals;
(d) providing for the prosecution in their own country of the Member’s nationals who commit offences under its national provisions for the prohibition and immediate elimination of the worst forms of child labour even when these offences are committed in another country;
(e) simplifying legal and administrative procedures and ensuring that they are appropriate and prompt;
(f) encouraging the development of policies by undertakings to promote the aims of the Convention;
(g) monitoring and giving publicity to best practices on the elimination of child labour;
(h) giving publicity to legal or other provisions on child labour in the different languages or dialects;
(i) establishing special complaints procedures and making provisions to protect from discrimination and reprisals those who legitimately expose violations of the provisions of the Convention, as well as establishing helplines or points of contact and ombudspersons;
(j) adopting appropriate measures to improve the educational infrastructure and the training of teachers to meet the needs of boys and girls;
(k) as far as possible, taking into account in national programmes of action:
   (i) the need for job creation and vocational training for the parents and adults in the families of children working in the conditions covered by the Convention; and
   (ii) the need for sensitizing parents to the problem of children working in such conditions.

16. Enhanced international cooperation and/or assistance among Members for the prohibition and effective elimination of the worst forms of child labour should complement national efforts and may, as appropriate, be developed and implemented in consultation with employers’ and workers’ organizations. Such international cooperation and/or assistance should include:
(a) mobilizing resources for national or international programmes;
(b) mutual legal assistance;
(c) technical assistance including the exchange of information;
(d) support for social and economic development, poverty eradication programmes and universal education.


Country Reports 2003 - www.countryreports.org

All Africa.com - allAfrica.comEducation

The Economist Country Briefings - The Economist Intelligence Unit, London, Sao Paulo, San Francisco, Hong Kong, 2003

Eurydice: education in EU countries and other European countries and regions - www.eurydice.org

Education International's Annual Reports 2001, 2002

Education International's Quarterly 2001, 2002

Education International's Worlds of Education - Numbers 1-6, 2003

The aim of the Barometer is to measure the extent to which these rights are respected, in each country where EI has members.

Since the publication of the previous Barometer in 2001, 7 new countries and territories have become affiliated with EI: Afghanistan, Cambodia, East Timor, Kazakhstan, Kuwait, Serbia, Ukraine and Uzbekistan. This brings the total number of countries and territories covered in this edition to 162.

In this edition, the highlight on Gender Equality is included, as it constitutes one of the eight Millennium Development Goals adopted by the UN and one of the chief objectives of the Education For All initiative. Adopted by the World Education Forum in Dakar in 2001, the Education For All plan of action predicted the achievement of gender parity in primary and secondary education by 2005. However, the Barometer will help the reader realise that this will certainly not be achieved, at least within the timeframe given.

Furthermore, the reader will see that despite the adoption of international instruments, child labour is still a grim reality in many countries. Likewise, numerous governments pay lip service to the realisation of academic freedom, while education personnel are deprived of their fundamental rights to participate fully in social dialogues.

Education International
5 bd du Roi Albert II
1210 Brussels, Belgium
Tel. +32 2 224 0611
Fax: +32 2 224 0606
headoffice@ei-ie.org
www.ei-ie.org